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A LITTLE
PLAIN ENGLISH.

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A LITTLE
PLAIN ENGLISH,

ADDRESSED TO
THE PEOPLE OF THE UNITED STATES,

ON THE
T R E A T Y,
NEGOCIATED WITH HIS BRITANNIC MAJESTY,

AND ON THE CONDUCT OF
THE PRESIDENT
RELATIVE THERETO;

- IN ANSWER TO
"THE LETTERS OF FRANKLIN."

WITH A SUPPLEMENT
CONTAINING AN ACCOUNT OF THE TURBULENT AND FAC-
TIOUS PROCEEDINGS OF THE OPPOSERS OF
THE TREATY.

BY PETER PORCUPINE. *pseud. [i.e. W. Cobbett.]*
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" An habitation giddy and unfure
" Hath he who buildeth on the *vulgar* heart.
" Oh thou fond *Many* ! with what loud applause
" Didst thou beat heav'n with blessing *Bolinbroke*,
" Before he was what thou wouldst have him be ?
" And now, being trimmed up in thine own desires,
" Thou beastly feeder, art so full of him,
" That thou provok'st thyself to cast him up."

SHAKESPEARE.

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1795.



P R E F A C E.

I Dare say, the reader has already concluded, that the author of *Plain English* can be no other than an Englishman; and, I can assure him, the further he advances, the more will he be confirmed in his opinion. It would then, be useless to deny the fact.

The *Democrats* have loaded me with every name which they imagine to be opprobrious, (but of which I am very proud) such, for example, as Aristocrat, King'sman, Loyalist, Royalist, Clergyman, Englishman, &c. it is, therefore, no more than fair play for me to choose from amongst them that which suits me best. *Englishman* is the one I have preferred on the present occasion; because, as an Englishman, I have not been obliged to declaim with enthusiasm on the inexhaustible riches, the generosity and humanity of the French Republicans; as an Englishman, I have not thought it necessary to my advancement, to varnish over the follies and errors of a certain part of socie-

ty, in these States; as an Englishman, I shall be excused for not thinking myself upon a level with every *patriot*, every *negro*, and every *democrat*, that pleases to call me his *fellow citizen*; as an Englishman, as a calf of *John Bull*, I shall hope to be permitted, in short, I will be permitted, to bellow out the truth without disguise.

Methinks, I hear the reader exclaim: *what! the conduct of General Washington defended by an Englishman!* For my part, I cannot see how it can be more offensive to a real American to hear the conduct of the President defended by an Englishman, than to hear it condemned by a Frenchman. If meddling be at all commendable, it certainly is as much so in the former as in the latter case. But, the reader need not alarm himself. He will not be disgusted with nauseous panegyrics on GENERAL WASHINGTON. I have not treated him as the CRAWLING DEMAGOGUES of this country treat the sovereign people. If the GENERAL's character or conduct stood in need of defence, it would not find a defender in me. In my answer to Franklin, on this subject, I have had the same object in view, that I have had in

view in every other sentence I have yet published ; what that object is, I shall leave for the sagacious democrats to find out.

From the volumes, or rather bales, that have already appeared against the treaty, I have selected the "Letters of Franklin," not because they are the worst things that have been written on the subject, and, God knows, it is not because they are the best ; but because they contain upon the whole, the fairest sample, I have yet seen, of the opinions and language of the opposers of the treaty.

I will, with the reader's leave, close this preface with an observation, which, though rather foreign to the subject before us, is nevertheless nearly enough connected with democratic affairs to be worthy of a place.

This very day, a twelve month ago, the bells of this City were ringing, the cannons firing, *Tom the Tinker* topping, bawling, and dancing *à la canibale* round the altar of *La Liberté*, and every blackguard in the City rolling drunk about the street, to celebrate that happy event the destruction of LOUIS XVI. To-day there is none of all this: all is as still.

as death! What can this mean? Is patriotism upon the wane, even after the taking of Amsterdam and the death of the Dauphin? Surely my dream* about the last year's *fête civique* cannot have interrupted any thing? Can it be possible that conscience has at last struck *Tom the Tinker*? Was he afraid of seeing *Old William Penn* in reality? Oh! could I but flatter myself that I had worked a reformation there! Could I but hope, that I had scared POOR TOM into his senses, I should die in peace!

* See the first part of the *Bone to Gnaw*.

PHILADELPHIA, August 10th 1795.

A LITTLE
PLAIN ENGLISH,
ADDRESSED
TO THE PEOPLE OF THE UNITED
STATES OF AMERICA.

A TREATY of amity, commerce, and navigation, with Great Britain, is a thing which has been so long and so ardently desired on your part, and so often solicited by your government, that one cannot help being astonished that even the *democratic*, or *French*, *faction* should have the temerity to raise a cry against it, now it is brought so near a conclusion. It is true, this perverse faction is extremely contemptible, as to the property they possess, and the real weight they have in the community; and their dissatisfaction, which is sure to accompany every measure of the Federal Government, is a pretty certain

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sign of the general approbation of those who may be properly called *the people*: but, it must be acknowledged at the same time, that they have for partizans almost the whole of that description of persons, who, among us royalists, are generally designated by the name of *mob*. Being an enemy to the administration, be it what it may, is always a sufficient recommendation with these latter, and is looked upon as an ample compensation for a lost reputation or a want of talents. Those who are simple enough to listen to a demagogue, seldom care much about his moral character. With the rights of the *citizens*, their virtue, and their sovereignty, eternally vibrating on his lips, he may, for ought they care, have a heart as black as Tartarus. If he writes, let him fill his pages with frothy declamation, and vaunting bombast, with the canting jargon of modern republicans, and it matters little what arrangement he makes use of. Ambiguity and confusion are even an advantage to him, they are a labyrinth in which he loses the wretches whom he has enticed from their duty. In short, his business is to awaken in his reader, jealousy, envy, revenge, and every passion that can disgrace the heart of man, to lull his gratitude, reason, and conscience, asleep, and then let him loose upon society. Such is the eloquence, and such the object of *Franklin*.

Far be it from me to pretend to a rivalry with this fawning mob orator; I would not for the world make one convert from his tat-

tered flock ; unenvied I leave him to the plaudits of his cajoled "*fellow citizens*, and the fraternal hugs of your *insidious friends and allies*."

It is become a kind of established custom, even among those who are the firm friends of your government, to yield to the prejudice of the populace, in passing eulogiums on the reigning powers in France ; or, at least, in observing a cautious silence with respect to their insidious, not to say hostile, conduct towards the United States. These gentlemen have, undoubtedly their reasons for this ; for my part, I have none, and therefore I shall take the liberty to say what, I am sure they must think on the subject,

On all hands it is allowed, that the parasite of a prince is a most despicable character ; a popular parasite must then be doubly despicable. It is possible for the supple courtier to find something like an apology for his self-humiliation ; one may be dazzled by the splendour of a crown, or blinded by the munificence of a friend and protector ; but what must be the man (if, indeed, he be worthy of the name,) who can crawl to the dregs of mankind ? Who can make a voluntary surrender of the superiority with which nature has endowed him ; who can sacrifice truth, honour, justice, and even common sense, to the stupid stare and momentary huzza of the populace, of the populace whose welfare affects him not, and whom, in his heart, he despises ?

The *Letters of Franklin* are a string of phillipics against Great Britain and the Executive of the United States. They do not form a regular series, in which the subject is treated in continuation: the first seems to be the overflowings of passion bordering on insanity, and each succeeding one the fruit of a relapse. To follow the author step by step through such a jumble, would be to produce the same kind of disgust in you as I myself have experienced; I shall therefore deviate from the order, or rather disorder, which *Franklin* has found it convenient to employ, and endeavour to bring the subject before you in a less complicated point of view.

The censure of *Franklin* has three principal objects; the treating with Great Britain at all, the terms of the treaty, and the conduct of the President relative to the negotiation.

I. He asserts, that to form a commercial treaty, with Great Britain is a step, at once unnecessary, impolitic, dangerous and dishonourable.

II. That, if forming a treaty with Great Britain were consistent with sound policy, the terms of the present treaty are disadvantageous, humiliating and disgraceful to the United States.

III. That, supposing the terms of the treaty to be what every good American ought to approve, yet the conduct of the President, relative to the negotiation and promulgation of it, has been highly improper, and even monarchical, and, for which, he deserves to be *impeached*.

If *Franklin* has made out any one of these assertions, if he has proved, that to treat with Great Britain is unnecessary, impolitic, dangerous and dishonourable, that the terms of the present treaty are disadvantageous, humiliating and disgraceful, or that the President has pursued a conduct in the negotiation for which he deserves to be impeached, you will all do well to join the remonstrating throng, that are now hunting the good Old General to his retreat at Mount Vernon; but if he has proved none of these; if all that he has said on the subject be mere cavilling and abuse, scolding, reviling, and execrating; if he be every where detected of misrepresentation, inconsistency, and flat contradiction; if, in short it appears, that his ultimate object is to stir up the unwary to an indecent and even violent opposition against the Federal Government, then, if you consult your own interests, you will be upon your guard, and weigh well the consequences, before you determine on such an opposition.

L. Franklin asserts, that to form a commercial treaty with Great Britain is a step, at once unnecessary, impolitic, dangerous, and dishonourable.

1. It is unnecessary, because “commercial treaties are an artificial means to obtain a natural end. They are the swathing bands of commerce, that impede the free operations of nature.” This will not detain us long; it is one of those chimerical notions that so well characterize the Parisian school. Nobody but a set of philosophical politicians ever imagined the plan of o-

pening all the ports in the world to all the vessels in the world, “ of interweaving and confounding the interests of all nations, of forming the inhabitants of the earth into one vast republic, of rendering the whole family of mankind enlightened, free, and happy.” When this plan shall be put in execution with success, I will allow that commercial treaties are unnecessary, but ’till then, I must contend for the contrary.

“ The two countries,” says *Franklin*, “ if necessary in their products to each other, will seek an intercourse.” This is all I wanted him to admit, to prove that an exchange of commodities between our countries is necessary; for that they have sought an intercourse with each other, and that they do now seek that intercourse more than ever, is most certain; so much so with respect to this country that about one half of her exports are now made to Great Britain and her dominions. But says he, “ this exchange ought to be left to itself; for the commerce of nations ought to be like the trade between individuals, who deal with those who give them the best treatment and the best bargains.” I subscribe to the justice of the latter part of this remark with all my heart: nothing could be more convenient for my purpose; for if nations, like individuals, trade with those who treat them best, and give them the best bargains, how much better treatment and better bargains must you receive from Great Britain than from other nations, when you purchase from her three times as much as from all

the rest of the world put together? But, that this extensive exchange, however necessary to both parties, should be left to regulate itself, I cannot believe; for, keeping up the comparison, the commerce of nations being like the trade between individuals, it will ever be found I believe, that treaties are as necessary to a continuance of good understanding in the former as written contracts are in the latter.

An observation presents itself here, which must not be omitted. *Franklin* objects to forming a treaty with Great Britain, because, says he, "She is famed for perfidy and double dealing, her polar star is interest, artifice with her is a substitute for nature, &c. &c." God knows if all this, and much more that he has said, be true; but, if it be, I am sure it makes strongly for a treaty, in place of against one; for, proceeding still upon his own comparison, "that commerce between nations is like trade between individuals," certainly no individual would ever think of dealing to any amount, with a person famed for perfidy and double dealing, without binding him down by written articles.

Out of this observation grows another of not less importance. *Franklin* has taken an infinite deal of pains to persuade you that the President should have formed a treaty with France instead of Great Britain? Your commerce with France, even in the fairest days of her prosperity, never amounted to more than a fifth part of your commerce with Great Britain; and, if what *Franklin* says be true, France is the most magnanimous, generous, just, honourable, (but

mahe!) rich, and powerful nation upon the earth; and can you then want a written bargain with France, when a mere trifle is the object, and none with Great Britain, when half you have is at stake? Shall it be said that you distrust France, that honourable, that *rich* nation? that you bind her down with "hard biting laws," while you admit Great Britain, "whose days," *Franklin* assures you, "are numbered," to a kind of family intercourse, where the bands of affection are supposed to supply the place of law?

Franklin incautiously acknowledges, "that" "you repeatedly solicited a commercial treaty with Great Britain," and this is very true. The first question put to *Mr. Hammond*, on his arrival here, was to know, if he was authorized to treat on that subject. This was also the ostensible object of *Mr. Madison's* famous resolutions. "To force the" "nations of Europe, and particularly Great" "Britain, to enter into commercial treaties" "with you". The words *nations of Europe* were afterwards changed for *Great Britain*. These resolutions were a long time and are still, a favourite theme of panegyric among the French Faction; all the *democratic societies* in the union have passed resolves in approbation of them; they have been toasted at every patriotic dinner, every civic feast, and even our *Franklin* himself sings forth their praises. How comes it then, that all these people now deprecate the idea of making a treaty with Great Britain? This will be no

longer a secret, when *Patriot Madison's* real object is known, and to know this you have only to compare his resolutions with a passage in *Citizen Genet's* instructions. The fact is, *Patriot Madison* had no such thing as a treaty in view; nothing on earth was further from his wishes. War was his object; but this he could not propose in direct terms, and therefore, he proposed such restrictions on the British commerce, as he was sure, if adopted, would produce a war. He failed, and Great Britain, in consenting to what he pretended was the object of his resolutions, and the President and senate in ratifying it, are now loaded with the execrations of all his partizans. But what must be the *Patriot's* remorse? What will he be able to say against treating with a nation, whom he wished to force to a treaty with you?

zd. *Treaties are impolitic, because they lead to to war: and consequently a treaty with Great Britain is exceptionable on that account.* This is another idea borrowed from the legislators of your Sister Republic; and surely it is not, for that reason, less whimsical. "Treaties lead to war," says *Franklin*, "and war is the bane of republican government." Treaties of alliance offensive and defensive lead to war, it is their object; but how treaties of *amity, commerce, and navigation*, can lead to war; how a treaty like that under consideration, made expressly to terminate all differences in an amicable manner, to produce satisfaction and good understanding, to establish

universal peace and true friendship between the parties, how a treaty like this can lead to war, is, to me, inconceivable. With just as much reason might it be said that treaties of peace lead to war, that independence leads to subjugation, that liberty leads to slavery, and that good leads to evil.

“Treaties,” says our Demagogue, “are like partnerships, they establish intimacies, which sometimes end in profligacy, and sometimes in ruin and bankruptcy, distrust, strife, and quarrel;” and then on he goes with an abusive apostrophe (which decency prevents me from copying here) inferring that you ought, on this account, to avoid a connection, as he terms it, with Great Britain. This comparison is not so good as the last we quoted; treaties of amity and commerce do not at all resemble partnerships. “The commerce of nations is like trade between individuals;” but commercial treaties resemble contracts between individuals of separate interests, and not co-partnerships. A co-partnership implies an union of interests, a participation in profits and losses, in debts and credits. Are any of these understood by a commercial treaty? Assuredly not. In a commercial treaty two nations say: *on these terms we will buy and sell, of and to each other.* Had you made a treaty with Great Britain to club your merchandize and revenues, and to carry on trade under the firm of Madam Britain and Miss America, such a treaty would, indeed, have resembled a partnership, and would very probably have been attended with all the inconveni-

encies, stated by *Franklin*; but commercial treaties are, I repeat it, among nations what written bargains are among individuals, and the former have exactly the same tendency as the latter, that is, to render mistakes, disputes, and quarrels, less frequent.

But, however, even if treaties do lead to war, it is rather surprizing to hear *Franklin* object to them on that account, when one third part of his book is taken up with invectives against the President for not forming a treaty with France, the direct object of which was your taking a part with her in the present war. "The treaty proposed by Citizen Genet," says he, "was a treaty on liberal and equitable principles." What were these liberal principles now? Citizen Genet came forward with an offer to treat, which offer, it must be confessed contained no express desire of involving you in a war; but what were the Citizen's private instructions concerning this treaty? for it is from these that you are to judge, and not from the contents of a mere complimentary letter. What were they then? "Citizen Genet," says the Executive Council, "shall open a negociation, which may become a national agreement in which two great people shall *suspend their commercial and political interest, to befriend the empire of liberty, wherever it can be embraced.*—" Such a pact, which the people of France will support with all the energy that distinguishes them, will quickly contribute to the general *emancipation of the New World.*—But should

“ the American administration adopt a wavering
 “ conduct, the Executive Council charges
 “ him, in expectation that the American Government
 “ will finally determine to make a common
 “ cause with us, to take such steps as will
 “ appear to him exigencies may require, to serve
 “ the cause of liberty and the freedom of the people.
 “ —The guarantee of our West India Islands
 “ shall form an essential clause in the new treaty
 “ which will be proposed : the Executive Council,
 “ in consequence, recommend to Citizen Genet to sound
 “ early the disposition of the American government, and to make it a sine
 “ qua non of their free commerce to those Islands,
 “ so essential to the United States.” Here then are the
 “ liberal principles,” so much boasted of by the partizans of France! A treaty on
 these principles is what *Franklin* would have approved of.
 For not forming a treaty on these principles he loads your
 President with abuse, while he declares, that his objection
 to treaties, is, “ they lead to war, and war is the bane of
 “ republican government”! A demagogue, like a liar,
 should have a good memory.

3d. To form a treaty of commerce with Great Britain
 is dangerous, he says; because “ it is forming a connection
 “ with a monarch, and the introduction of the fashions,
 “ forms, and precedents of monarchical governments,
 “ has ever accelerated the destruction of republics.”
 Here we might ask our demagogue, as the *Clown* did
Malvolio : “ are you a fool indeed, or do you but
 “ counterfeit?” For, to suppose him in earnest would be
 to believe him guided by

something below even the imbecility of a frenchified republican. It would be to suppose him almost upon a level with a Member from the Southward, who gave his vote against a law, merely because it appeared to him to be of monarchical origin, while, at the same moment, he represented a State, whose declaration of rights says ; “ The good people are entitled to “ the common law of England, and the trial “ by jury, according to the course of that law, “ and to the benefit of such of the English statutes, as existed at the time of their first “ emigration, and which, by experience, “ have been found applicable to their local “ and other circumstances, and of such others “ as have been since made in England, or “ Great Britain, and have been introduced “ here, &c.” Can the people who have been so careful in preventing their future rulers from depriving them of the benefit of the laws of England, who look upon the being governed by those laws as the most inestimable of their rights, be afraid of introducing among them the *fashions, forms, and precedents* of England ? Can it be possible, that they are afraid of introducing among them what they already possess, and what they declare they will never part with ?

It is not my object to intrude on you my opinion of the *fashions, forms, and precedents*, as *Franklin* calls them, of the British government ; they may be better or they may be worse than those of other governments ; but be they what they may, they are nearly the same as your own, and they are the only ones, ever adopted by any nation on earth, to which

yours bear the most distant resemblance ; therefore, admitting, for a moment, what *Franklin* says to be true ; “ that you should make treaties “ with no nation whose *fashions*, and *forms* are “ different from your own,” it follows of course, that, if you ought not, on this account to make treaties with Great Britain ; you ought to do it with no nation in the world.

But this would not suit the purpose of *Franklin*, who, at the same time that he reprobates the idea of making a treaty with Great Britain, inculcates the propriety and even necessity of making one with France. “ If foreign connexions are to be formed,” says he, “ they ought to be made with nations whose “ *influence* and *example* would not poison the “ fountain of liberty, and circulate the deleterious streams to the destruction of the rich “ harvest of our revolution— Tell me your “ company, and I will tell you who you are.” And then he tells us, that “ there is not a nation “ in Europe, with an *established* government, “ whose example should be our imitation,” but, that “ France is our natural ally ; that “ *she has a government congenial with our own*, and that there can be no hazard of introducing “ from her, principles and practices repugnant to freedom.” Take care what you are about, Mr. *Franklin* ! If there be none of the *established* governments in Europe congenial to your own, and if the government of France be congenial to your own, the inevitable conclusion is, that neither you nor your Sister Republic have an *established* government ! Do you

begin to perceive the fatal effects of your want of memory?

But, I should like to be told how *Franklin* came to discover a resemblance between your government and that of France, or between you and the French. To say that such a resemblance exists is a trait of slander that, were I an American, I should resent with the utmost indignation. Are you governed by an assembly of ignorant caballing legislators? An assembly of *Neroes*, whose pastime is murder, who have defied the God of Heaven, and, in idea, have snatched the thunder from his hand to hurl it on a crouching people? And do you resemble the republican French? Have you cast off the very semblance of virtue and religion? Do you indeed, resemble those men of blood, those profligate infidels, who, uniting the frivolity of the Monkey to the ferocity of the Tyger, can go dancing to the gallows, or butcher their relations to the air of *ah, ça ira*? If you do, you have not much to fear from the introduction of the *fashions, forms, and precedents* of other nations.

Another source of *danger*, that *Franklin* has had the sagacity to discover in treating with Great Britain, is, that, “ she meditates
“ your subjugation, and a treaty will give
“ her a footing amongst you which she had not
“ before, and facilitate her plans.” The executive council of France ordered *Citizen Genet* to tell you something of this sort, in order to induce you to embark in the war for the liberty and happiness of mankind. “ In this situa-

"tion of affairs," say the Executive Council;
 "when the military preparations in Great
 "Britain become every day more serious, we
 "ought to excite, *by all possible means*, the zeal
 "of the Americans, who are as much interested
 "as ourselves in disconcerting the destructive
 "projects of *George III.*, in which they are pro-
 "bably an object." I beseech you to pay atten-
 tion to this passage of the instructions. When
 military preparations were making against
 France, she wanted your aid, and so the good
 Citizen was ordered to tell you that you were
 the object of those preparations. The Citizen
 was ordered to tell you a falsehood; for the
 war has now continued three years, and *George*
III. has made not the least attempt against your
 independence.

You have the surest of all guarantees that
 Great Britain will never attempt any thing
 against your independence, *her interest*. I agree
 with *Franklin*, that "her interest is the
 "main spring of all her actions, and that,
 "had not her interest been implicated, the
 "commercial relation between you and her
 "would long since have been destroyed." Her
 interest will ever dictate to her to keep up
 that relation, and certainly making an attempt
 on your independence is not the way to do
 that; for, as to her succeeding in such an
 attempt, I think every American will look on
 that as impossible. The idea of your "again
 "becoming colonies of Great Britain" may
 be excused in *Franklin* and the other stipen-
 diaries of the French republic, but an Ameri-

can, who holds the good of his country in higher estimation than a bundle of *assignats*, and who entertains such a disgraceful belief, must have the head of an idiot and the heart of a coward.

Besides, has not our Demagogue himself given a very good reason for your having nothing to apprehend from Great Britain? "Happy for this country," says he, "the days of that corrupt monarchy are numbered; for already has the impetuous valour of our insulted French brethren rushed like a torrent upon the Dutch Provinces, and swept away the dykes of Aristocracy. Perhaps Heaven will direct their next steps to Great Britain itself, and by one decisive stroke, relieve the world from the miseries which that corrupt government has too long entailed upon mankind." I shall not stop here to prove, that it was not an act of a *corrupt government* to frame such laws, as the people of these states have bound their rulers never to depart from; nor have I time to prove, that peopling the United States, changing an uncouth wilderness into an extensive and flourishing empire, in little more than a century, was not *entailing miseries upon mankind*. I hasten to my subject; and, I think, I need take no great deal of pains to prove to you, that, if Great Britain be in the situation in which *Franklin* has described her, you have very little to fear from her. A nation whose "days are numbered," and particularly, who is in

continual expectation of a *domiciliary* visit from the French, is rather to be pitied than feared.

And yet this same *Franklin*, who tells you that the “ days of Great Britain are numbered, that she is upon the point of annihilation, “ and that nothing can save her but repentance “ in sack-cloth and ashes ;” this same *Franklin*, who says all this, and much more to the same purpose ; this same *Franklin* winds up almost every one of his letters in declaring, that you have every thing to fear from her, and that nothing on earth can save you but France ! “ That gallant nation, whose proffers we have “ neglected, is the sheet anchor who sustains “ our hopes, and should her glorious exertions be “ incompetent to the great object she has in “ view, we have little to flatter ourselves with “ from the faith, honour, or justice of Great “ Britain.—The nation on whom our “ political existence depends we have treated “ with indifference bordering on contempt. “ —Citizens your only security depends upon “ *France*, and, by the conduct of your government, that security has become precarious.” Now before I go any further, I shall bring another sentence from *Franklin*, which will certainly give you a favourable idea of the veracity and consistency of that Demagogue. “ Insulated as we are, not an enemy near to “ excite apprehension, and our products such “ as are indispensable, *we need neither the countenance of other countries, nor their support !*” What ! no enemy near to excite apprehension,

no need of support, and yet "France is the
 "sheet anchor of your hopes!" and yet
 "your political existence depends upon her!"
 and yet, because your government has refused
 to make a common cause with her, "your se-
 "curity is become precarious!" To a hireling
 writer nothing is so necessary as memory.

If Great Britain had really been so foolish
 as to form a design upon your independence,
 and your political existence had depended
 upon France, it would, I believe, have been
 at an end long before this time. *Citizen Genet*
 was ordered to promise you, that his coun-
 try would "send to the American ports a
 "sufficient force to put them beyond insult;"
 but, if they had defended your possessions no
 better than they have their own, they
 would have brought you into a poor plight.
 If the fleet, they were so good as to offer you
 had been no more successful than the others
 they have sent out, it might as well have re-
 mained at home, blocked up, as their fleets
 now are, and left you to the defence of your
 own privateers. They have given but a poor
 sample of their *protecting talents*, either at
 home or abroad. Letting two thirds of their
 colonies be taken from them, and making
 war upon the rest themselves, is not the
 way to convince me that you would have
 been safe under their protection. Nobody but
 a madman would ever commit his house to the
 care of a notorious incendiary.

Franklin proceeds exactly in the manner of *Citizen Genet* (of whom he is a pupil, as we shall see by and by); First, he tells you that "Great Britain has contemplated either your misery or subjugation, and that *armaments were made to this end.*" Then he tells you, that "France alone has saved you; that she is now fighting your battles; that you owe her much; that *she gave you independence,* and that *she alone* is able to preserve it to you." After this, fearing that these weighty considerations may not have the desired effect, he has recourse to the last trick in the budget of a political mountebank, *menaces.* He tells you dreadful tales about the resentment of France, and this he makes a third source of *danger* in treating with Great Britain.

"The conduct of the French Republic," says he, "towards us has been truly magnanimous, and, in all probability, she would have made many sacrifices to preserve us in a state of peace, *if we had demeaned ourselves towards her with a becoming propriety;* but can we calculate upon her attachment, when we have not only slighted but insulted her? To enter into a treaty with Great Britain at this moment, when we have evaded a treaty with France; to treat with an enemy *against whom, France feels an implacable hatred,* an enemy who has neglected no means to desolate *that country,* and crimson it with blood, is certainly insult." Then on he goes to terrify you to death.

“ Citizens of America,” says he, “ *Sovereigns*
 “ of a free country, your *hostility* to the
 “ French Republic (in making a treaty with
 Great Britain, he means) has lately been spo-
 “ ken of in the National Convention, and a
 “ motion for *an inquiry into it* has been only
 “ suspended from prudential motives.—The
 “ book, of account may soon be opened a-
 “ gainst you—what then, alas! will be your
 “ prospects!—*To have your friendship questioned*
 “ by that nation is, indeed, alarming!”—
 There spoke the Frenchman! there broke forth
 the vanity of that vaunting Republic!

The above are certainly the most unfortunate
 expressions that ever poor demagogue launched
 forth. What he has here said, completely de-
 stroys the position he meant it to support.
 If you must be so cautious in your *demeanour*
 towards the French Republic, if you dare treat
 with no nation against whom *she feels* an impla-
 cable hatred, if to treat with a nation that has
 endeavoured to desolate *that* country, is to ex-
 pose your conduct to an *inquiry* in the National
 Convention; if to have your friendship *ques-*
tioned by that nation is an alarming circum-
 stance; if to refuse treating with her, when and
 how she pleases, is to open the dooms-day book
 of account against you; if all this be so, I can
 see no reason for apprehensions on account of
 your *independence*, for you are no more than
 mere colonies of France. Your boasted revolu-
 tion is no more than a change of masters.

If you cannot enter into a treaty with Great
 Britain, without *insulting* France, and, conse-

quently, exposing yourselves to her vengeance; neither can you with any other nation on whom she thinks proper to make war, and against whom *she* pleases to feel an implacable hatred. Thus she might cut you off from all the nations in the world. An arrangement, for instance, with Spain, has long been looked on as a desirable object; but as she is an enemy of France at this time, as she has neglected no means to desolate *that* country and crimson it with blood, you would not, according to *Franklin*, dare enter into a negociation with her, however opportune the moment and however advantageous the terms. Falsly, then, does he call you "the *Sovereigns* of a free country;" it is mere mockery to give you this title, if you dare not exercise any one act of sovereignty, without exposing yourselves to *danger*, without being liable to chastisement.

The fact is, as you stand in no need of the protection of France, so you have no cause to fear her resentment. She may grumble curses against you, but speak out she will not, she dares not. She dares not make a second attempt to overturn your Federal Government, by "appealing from the President to the *Sovereign people*." You are "the sheet anchor" of her hopes, and not she of yours. To you she clings in her shipwrecked condition, to you her famished legions look for food, and to you her little pop-gun fleets fly for shelter from the thundering foe. What have you then to expect, what to fear, from a nation like this? Nothing, alas! but her *insidious friendship*.

4. *Franklin asserts that it is dishonourable to treat with Great Britain*; because says he, "her king is a tyrant that invaded *our* territory, and carried on war against us." He seems to have made a small mistake here; for at the time the King of Great Britain invaded *your* territory, it was *his* territory, and you his *loving subjects*, at least, you all declared so. However, without recalling circumstances, that can be of no use in the present discussion, admitting all that has been said on this subject to be true; that the fault was entirely on the side of Great Britain, that all her conduct was marked with duplicity and cruelty, and all yours with frankness and humanity; admitting all this, and that is admitting a great deal, yet, how long has it become a principle in politics, that a nation, who has once done an injury to another, is never after to be treated with upon a friendly footing? Is this a maxim with any other state in the world? How many times have you seen France and England, after the most bloody contests, enter into an amicable treaty of commerce, for their mutual advantage. Have they not done so since the American war? and will they not do so again as soon as the present war is over? Nay; has not France very lately, unmindful of her promises and oaths, entered into a treaty of amity, and almost alliance, with His Royal Majesty of Prussia, who had invaded *her* territory, without having the least shadow of excuse for so doing? Is it for you alone, then, to sacrifice your interest to your vengeance, or rather to the vengeance of France? Are you to make

everlasting hatred an article of your political creed, because she wills it?

Your revolution certainly was not founded upon this basis: all that was contemplated by it, was, a *political* separation from Great Britain. The *Declaration of independance*, that act, passed by the *Worthies* of America, and of which you are so very proud, does not inculcate the doctrine of perpetual revenge; just the contrary. "Nor have we been wanting to
"our British brethren (not French brethren, observe): we have warned them, from
"time to time, of attempts made by their legislature, to extend an unwarrantable jurisdiction
"over us. We have reminded them of the circumstances of our emigration and settlement
"here. We have appealed to *their native justice and magnanimity**, and we have conjured
"them, by the ties of our common kindred to
"disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to
"the voice of justice and of consanguinity. We
"must, therefore, acquiesce in the necessity,
"which denounces our separation, and hold
"them, as we hold the rest of mankind, *enemies in war—in peace friends*." Now, conform yourselves to these good old principles, turn a deaf ear to the insinuations of your *new brethren*, and I am sure you will see nothing in

* This Congress, you see, were not of opinion that their ancestors were "treacherous, cruel, savage monsters." They were not like the patriots of the present day; but then, they were not animated by the gold of the French Republic; this circumstance makes a considerable difference.

the King of Great Britain's invading his own dominions in the year 1776, to prevent you from making a treaty with him, upon honourable terms, in 1795.

To this old grudge *Franklin* adds some injuries recently received from Great Britain. The first of these is, *her depredations on your commerce*. To urge the depredations on your commerce as a reason against treating is to find fault with a thing for being calculated to accomplish its object; by treating you have guarded against such depredations for the future, and have obtained a compensation for the past. I shall enter more fully into this subject, when I come to speak of the terms of the treaty: at present it is necessary to speak of the depredations, only as they render a treaty with Great Britain dishonourable.

In the first place the injury does not appear to me to be of so outrageous a nature, as *Franklin* would persuade you it is. It was *possible*, at least, that the orders of the British Court might be misunderstood, or misconstrued. It is also possible that great part of the vessels seized were really employed in a commerce, that would justify their seizure, by the law of nations. Admitting, however, that the British cruizers and courts of admiralty have done no more than fulfil the intention of their King, and that none of your captured vessels were employed in a contraband trade; yet, I cannot allow that the depredations committed on your trade is a sufficient reason, or, indeed,

any reason at all, for your not treating with the nation who has committed them. To maintain the contrary is to adopt that system of eternal irreconcilition, which I shall ever deprecate, and which militates against every principle of justice and sound policy. The partizans of France, and *Franklin* among the rest, were for demanding satisfaction in such a manner as they knew it would not be granted, in a manner that Great Britain, consistent with her honour (for I must be excused for thinking she has some left) could not grant it; but, must not a treaty have been the consequence, at last? Suppose they had succeeded in plunging you into a war, that war itself must have ended in a *treaty*, and a treaty much more *dishonourable*, perhaps, than the one now negociated; unless, indeed, their intention was to wage a *bellum eternum*, side by side with their French brethren, till there should be no government left to treat with. These people are always for violent measures; they wanted a commercial treaty with Great Britain, but then she was to be "forced" into it; and now again they wanted satisfaction, but it is not worth a farthing, because no violence has been used to obtain it. They are of the taste of *Swift's*: "true English dean that was hanged for a rape;" though they have all their hearts can wish for, their depraved appetites render it loathsome, because it has been yielded to them without a struggle.

But, it is, or ought to be, the opinion of *Franklin* himself, that depredations on your

commerce ought to be no bar to your treating with the nation who has committed them ; for he has exhausted himself to persuade you, that a treaty ought to have been made with France, and yet it is notorious, that her depredations have very far outstripped those of the British. Within the last five or six months the French have seized upwards of 200 of your vessels, some they have confiscated, others they have released after having taken their cargoes, and others are yet in suspense. Many of these vessels have been seized in their own ports, where they went in full confidence, and with the most upright intentions. The mariners have been thrown into prison, where many of them now are ; the masters have been robbed, stripped, and beaten, by some of the vilest wretches that ever existed. They have the insolence to call the American Masters, *the caned Captains* ; “ *Les capitaines á coup de bâton.*” Let *Franklin* find you, if he can, an instance of an American ship being seized at sea, by the English, and burnt, without further ceremony. These things the French have done, and yet he would not think it *dishonourable* to enter into a treaty with them.

I know, I shall be told, that the depredations of the French, here mentioned, have taken place since the departure of *Mr. Jay* for Great Britain ; we will, then, confine ourselves to the depredations, committed by the two nations at that epoch. And here, luckily, we have not to

depend upon rumour, upon news-paper report ; we have a sure guide, the report of the Secretary of State to the President, which was communicated to the Senate and House of Representatives on the 5th, of March, 1795.

“ Against the French it is urged ; 1st. that
 “ their privateers harraßs our trade *no less than*
 “ *those of the British.* 2d. that two of *their ships*
 “ *of war have committed enormities on our vessels.*
 “ 3d. that their courts of admiralty are guilty
 “ of *equal oppression.* 4th that, besides these
 “ points of accusation, which are common to
 “ the French and British, the French have in-
 “ fringed the treaties between the United
 “ States and them, by subjecting to seizure and
 “ condemnation our vessels trading with their
 “ enemies in merchandize, which that treaty
 “ declares not to be contraband, and under
 “ circumstances not forbidden by the law of
 “ nations, 5th. that a very detrimental em-
 “ bargo has been laid on our vessels in French
 “ ports. 6th. that a contract with the French
 “ government for coin has been discharged
 “ in depreciated assignats.”

If then the French privateers had harraßsed your trade no less than those of the British, if their ships of war also had committed enormities on your vessels, if their courts of admiralty had been guilty of equal oppression, and if they had, besides, infringed the treaty already existing between you, had embargoed your vessels, and cheated your merchants by discharging a contract for cash in depreciated assignats, what could you see in their conduct to invite

you to a treaty with them, whilst a treaty with Great Britain would, on account of the depredations committed by her, be *dishonourable*?

On this subject *Franklin* takes occasion to introduce one of his Conventional threats. "As long," says he, "as we kept up the farce, that the negotiation was designed to produce, an indemnity for the past, and security for the future, so long did France not *complain*; but now we have abandoned it to the same uncertainty as before, and have favoured Great Britain at her expence, she cannot, she will not *be passive*;" and then he says, "if France should act *as our conduct merits*, she will *now* seize our vessels." Without enquiring here what reason France can have to complain about *your* not having obtained an indemnity for *your* losses; without inquiring how your conduct merits *her* resentment, because you have abandoned *your* commerce to the same uncertainty as before; without inquiring what she *ought* to do, you have only to look at what she has done, and you have no reason to fear that the treaty will encrease her depredations. In short, ever since the French found, that your government was determined not to join them in the war, they have neglected no opportunity of doing you mischief, wherever they could, and dared to do it, and, perhaps, it is owing to the British Freebooter (as *Franklin* calls *Admiral Murray*), that you are not now blocked up in your ports. I know nothing of the British Admiral's instructions; perhaps they were no more favourable to you than those of the French Minister;

But I think, you ought to feel a considerable obligation to him for having rid your coasts and towns of the swarthy red-cap'd *citizens* that infested them.

Another injury which *Franklin* says you have received from Great Britain, and which renders a treaty with her *dishonourable*, is *her letting the Indians and Algerines loose upon you*. "Great Britain," says he, "urged on the Savages, by the mouth of *Dorchester* (it might have been *Lord Dorchester* in his mouth), to butcher our citizens, and desolate our frontier; and, by *her intrigues*, let loose a band of Algerine robbers, barbarous *almost as Britons*, to prey upon our commerce, and make *slaves of free men*." I have more than once observed, that having received an injury from a nation cannot, in itself, render the treating with such a nation *dishonourable*; if, therefore, the charge with respect to the Indians were well founded, it could make nothing against the present treaty. But, I deny that the fact has ever been proved. Governor *Simcoe* denies it positively, and no evidence has ever been produced to substantiate it. It is, at best, then, but a matter of surmise; and when *Franklin* asserts, that, "In the action between *General Wayne* and the Indians at Fort Recovery, a number of *British Officers and soldiers* were joined with the Savages and led them on to the combat, and that they were *painted* to conceal their diabolical character," he discovers a character full as diabolical as that of those

persons would have been, had his assertion been true.

The populace of this country are easily imposed on by an observation that the French emissaries never fail to make on this subject. They tell them, and which is very true, that the Indians receive their implements of war from the British: but they fail to tell them, at the same time, that these implements of war are the commodities, that the Indians receive in exchange for their furs, and that, to make such an exchange a subject of complaint against the British, is to tell them that they shall not trade with the Indians, because you are at war with them. Considering the temper which has been but too prevalent in these States during the present war; considering how convenient this accusation against the British is to some of your military people, how many defeats it has accounted for, and how many more it may yet account for; considering how eagerly stories of this sort are sought after, and how they are exaggerated, by a set of newspaper printers, who have rendered a free press almost a public curse; considering all this, people ought to be very cautious how they form their belief on events at such a distance, events, concerning which imposition is so easy, and detection so difficult, concerning which passion, character, and interest all combine to propagate deception.

With respect to the charge against Great Britain and the Algerines, it is the most whimpering, babyish complaint that ever disgraced the lips of manhood, and when a Member of

the House of Representatives made mention of it, he deserved to have his backside whipped. Great Britain, for her convenience, has, it seems, employed her mediation, and prevailed on the Dey of Algiers to make an arrangement with the Court of Lisbon, which arrangement gives the Algerines an opening into the Atlantic, where they take your vessels. This is unfortunate for you; but how is it hostile towards you, on the part of Great Britain? How is it letting the Algerines loose upon you? It is, indeed, letting them loose upon the great ocean, where they may do what they can; but to call it letting them loose on you, is mere childishness. One would think, to hear *Franklin*, that Great Britain held the Indians and Algerines in a string, like a brace of bull-dogs, ready to let loose on whomsoever she pleases. A clear proof that this is not the case, (a proof that pleases me the better, because I am sure *Franklin* and all his tribe will subscribe to it) is, she has not yet let the Algerines loose on their French brethren; a thing that she most certainly would have done, if she could.

But, it seems, Great Britain is not only to refrain from every act and deed, that may give the Algerines an opportunity of incommoding you; she is not only to sacrifice her interest, and that of her allies, to yours; but she ought to take an active part in your protection. A writer against the treaty expresses himself thus: "Our negociator has *omitted* to make any stipulation for the protection and security of the commerce of the United States to Spain, Portu-

“ gal and the Mediterranean, against the depredations of the Algerine and Barbary corsairs, although he knew that this forms one of the most beneficial branches of *our* trade.” * This writer certainly forgot, that you were *independent*. He talks about *Mr. Jay's* making this stipulation, just as if it depended upon him alone. When he was about it, he might as well have stipulated for Great Britain to *protect* you against all the nations in the world, as she used to do formerly. And do you then stand in need of Great Britain to protect you? Do you stand in need of the protection of this “ruined nation?” This nation whom “nothing will save but repentance in sackcloth and ashes?” This “insular Bastile of slaves?” Do you stand in need of them to protect you, “the Sovereigns of a free country?” Is it *dishonourable* to treat with Great Britain, and yet is it *honourable* to accept of her protection? Prevaricating demagogues! You accuse the Envoy Extraordinary of having made a humiliating treaty, while you blame him for not having made you drink off the cup of humility to the very dregs.

The truth is, these depredations on your commerce by all the belligerent nations, and by the Algerines, is what ought to surprise nobody; it is one of those little rubs to which your situation naturally exposes you: independence, for some years, at least, is not a rose without a thorn. All that ought to surprise you in con-

* See the *Aurora* of the 21st July, 1795.

templating this subject, is, that France, to whom alone you give shelter, for whose cause your good *citizens* have ever felt the most unbounded enthusiasm, and for whose successes they have toasted themselves drunk and sung themselves hoarse a thousand times, should stand foremost on the list of the spoilers; and that, notwithstanding this, your *Patriots* should insist upon a close alliance with her, while they reprobate the treating with Great Britain as an act at once unnecessary, impolitic, dangerous, and dishonourable.

Having now gone through Franklin's reasons for not treating with Great Britain, I proceed to examine his objections to the terms of the treaty itself.

II. *Franklin asserts, that, if forming a treaty with Great Britain were consistent with sound policy, the terms of the present treaty are disadvantageous, humiliating, and disgraceful to the United States.*

This is the place to observe, that *The Letters of Franklin* were written, *before the contents of the treaty were known*. He introduces his subject in the following words: "The treaty is said to be arrived, and as it will be of serious consequence to us and to our posterity, we should *analyze it*, before it becomes the supreme law of the land." That is to say, *before it be known*. "It will be said," continues he, "to be a hasty opinion which shall be advanced before the treaty itself shall be before us; but when it shall be promulgated for our consideration, it will have

“ all the force of law about it, and it will then
 “ be too late to detect its baneful effects.”
 Certainly no mortal ever heard reasoning like
 this before; what a lame apology for an in-
 flammatory publication, intended to prepossess
 the rabble against the treaty! What candour
 could be expected from a demagogue, who
 found it just and fit to *analyze* a thing, before
 he knew what it contained? Who can be sur-
 prized to hear him assert, “ that the Western
 “ Posts are *the price* of a commercial treaty,
 “ that *no provision is made for indemnity to the*
 “ *merchants, that the French are sacrificed to the*
 “ *British, that Great Britain has been meanly*
 “ *courted, and that all the essential interests of the*
 “ United States are given up?”

To answer objections, made thus at random,
 would be taking advantage of the poor Dema-
 gogue; I shall, therefore, lend him the aid of
 those that have been made since, by the *citizens*
 of Boston, assembled in Town-Meeting.*

It is not my design to dwell upon every ob-
 jection that has been started, either by *Franklin*
 or the Town-Meeting; I shall content myself
 with answering those only in which they disco-
 ver an extraordinary degree of *patriotic* presump-
 tion or dishonesty.

Art. I. Says that there shall be peace and friend-
 ship between the two countries.

As nobody but the French can have any thing
 to say against this article, and as I have already

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* What description of persons these *citizens* were of
 and in what manner their deliberations were conducted,
 will be seen in the supplement.

answered all that their emissary Franklin has said on the subject, I look upon it as unexceptionable.

Art. II. *Stipulates, that the Western Posts shall be evacuated in June next ; that, in the mean time the United States may extend their settlements to any part within the boundary line as fixed at the peace, except within the precincts and jurisdiction of the posts ; that the settlers now within those precincts shall continue to enjoy their property, and that they shall be at full liberty to remain there, or remove ; that such of them as shall continue to reside within the said boundary lines, shall not be compelled to become citizens of the United States, but that, they may do so if they think proper, and that, they shall declare their choice in one year after the evacuation of the Forts, and that, all those who do not declare their choice during that time, are to be looked upon as citizens of the United States.*

The citizens of the Boston Town-Meeting object to this article, “ because it makes no provision to indemnify the United States for the commercial and other losses, they have sustained, and the heavy expences to which they have been subjected in consequence of being kept out of possession for twelve years in direct violation of a treaty of peace.”

The good citizens, before they talked about indemnity, should have been certain that Great Britain was not *justifiable* in her detention of the Western Posts ; because, if it should appear that she was, to make a claim for indemnity would be ridiculous.

By the treaty of peace, Great Britain was to

give up these Posts, and, by the same treaty, the United States were to remove certain legal impediments to the payment of British Debts, that is to say, debts due to British merchants before the war. These debts were to a heavy amount, and Great Britain had no other guarantee for their payment than the Posts. Your credit, at that time, was not in the most flourishing state; and that the precaution of having a security was prudent, on the part of Great Britain, the event has fully proved. Nobody pretends that the impediments, above-mentioned, are removed; nay, some of the States, and even their Members in Congress, aver that they ought not to be removed; what right have you, then, to complain of the British for not giving up the Posts? Was the treaty to be binding on them only? If this be the case, your language to Great Britain resembles that of *Rousseau's* tyrant: "I make a covenant with you, entirely
 " at your expence and to my profit, which *you*
 " *shall* observe as long as it pleases me, and
 " which *I will* observe as long as it pleases my-
 " self." This is not the way treaties are made now-a-days.

It is said that the Federal Government has done all in its power to effect the removal of the impediments, according to stipulation; but to this I answer; that all in its power is not enough, if the impediments are not removed. Are they removed, or are they not? is the only question Great Britain has to ask. The States from which the debts are due (or rather a knot of interested individuals, devoid of honour, in

each of them) having enacted laws, that counteract those made by the General Government, may be pleaded in justification of the latter, in a domestic point of view; but every one must perceive, that it would be childish in the extreme to urge it as an excuse for a failure towards foreign nations. The very nature of a treaty implies a power in the contracting parties to fulfil the stipulations therein contained, and, therefore, to fail from inability is the same thing as to fail from inclination, and renders retaliation, at least, just and necessary. Upon this principle, founded on reason and the law of nations, Great Britain was certainly *justifiable* in her detention of the Western Posts. The foundation of *indemnity* being thus removed, the superstructure falls to the ground.

Another objection, though not to be found in the resolutions of the Boston *citizens*, deserves notice. "That the leaving British subjects in possession of their lands, &c. in the precincts of the Forts, will be to establish a British Colony in the territory of the United States, &c." * This is an objection that I never should have expected from the *true republicans*. The treaty says that the settlers in those precincts shall have full liberty to choose between being *subjects* of the King of Great Britain and *citizens* of the United States: and can these republicans doubt which they will choose? Can they possibly suppose that the inhabitants near the Forts will not

* See the *Aurora*, 21st July.

rejoice to exchange the humiliating title of *subject* for the glorious one of *citizen*? Can they, indeed, imagine that these degraded Satellites of the tyrant *George* will not be ready to expire with joy at the thought of becoming "sovereigns of a free country?" Each individual of them will become a "Prince and legislator" by taking *the oath of allegiance* to the United States; is it not then, sacrilege, is it not to be a *liberticide* to imagine that they can hesitate in their choice? How came these enlightened *citizens* to commit such a blunder? How came they to suppose, that the people in the precincts of the Forts were more capable of distinguishing between sound and sense, between the shadow and the substance than they themselves are. Thousands of times have you been told that the poor Canadians were terribly oppressed, that they were ripe for revolt, that the militia had refused to do their duty, and, in short, that the United States had nothing to do but to receive them. And now, when a handful of them are likely to be left amongst you, you are afraid they will choose to remain subjects to the King of Great Britain!

But suppose they should all remain *subjects*; what will be the consequence of it to you? Here are hundreds and thousands of British subjects on the eastern parts of the States; men who never have nor ever will take the oath of allegiance to the United States, and certainly they are none the worse for it. An arrival from Ireland is boasted of through

the whole country, though perhaps it consists of a hundred or two of poor devils, capable of nothing but eating and drinking; and is not a colony already settled, a colony consisting of persons born in the country, understanding in the trade with the indians, and calculated to give that trade a start in your favour, at once; is not a colony like this preferable to any thing of the sort, you can purchase in Europe?

Art. III. *Stipulates for a free intercourse and commerce between the two parties, as far as regards their territories in America. This commerce is to be carried on upon principles perfectly reciprocal; but it is not to extend to commerce carried on by water, below the highest ports of entry. The only reservation in this article, is, the King of Great Britain does not admit the United States to trade to the possessions belonging to the Hudson's Bay Company.*

To this the *citizens* of Boston object; “because it admits British subjects to an equal participation with our own citizens of the interior traffic of the United States with the neighbouring indians through our whole territorial dominion; while the advantages *ostensibly* reciprocated to our citizens, are limited both in their nature and extent.”

The word *ostensibly* is the only one of any weight in this objection. They could not say that the advantages were not reciprocal, as stipulated for; they, therefore, found out the word *ostensible* to supply the plan of contradiction. The article provides for advantages *perfectly*

reciprocal, and to say that they are only *ostensibly* so, is to say ; *the treaty says so, to be sure, but it does not mean so.* The fault then naturally falls upon the words, which say one thing and means another.

Art. IV. *Relates to a survey of a part of the Mississippi.*

Art. V. *Relates to a survey of the River St. Croix.*

It would have been extremely hard, indeed, if these articles had not escaped censure. I cannot, indeed, say that they have escaped it altogether ; for, I have been informed that the Democratic Society of Pennsylvania have declared that the United States should be bounded by *nothing but the sea.* This, we may presume, is in consequence of the intimation of the Executive Council of France, who ordered Citizen Genet to assure the Americans, that *with their help,* nothing was easier than to finish *the emancipation of the New World.*

Art. VI. *Relates to debts due by citizens of the United States to British subjects, and provides, " that by the operation of various lawful impediments since the peace, not only the full recovery of the said debts has been delayed, but also the value and security thereof have been, in several instances impaired and lessened, so that by the ordinary course of judicial proceedings, the*

Art. VII. *Relates to the spoliation on your commerce by British subjects, and provides, " that during the course of the war, in which his Majesty is now engaged, certain citizens of the United States have sustained considerable loss and damage by reason of irregular, or illegal captures or condemnation of their vessels and other property under colour of authority or commissions from his Ma-*

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" British creditors cannot
 " now obtain, and actually
 " have and receive full and
 " adequate compensation,
 " for the losses and damages
 " which they have thereby
 " sustained: It is agreed,
 " that in all such cases where
 " full compensation for such
 " losses and damages cannot,
 " for whatever reason, be
 " actually obtained, had
 " and received, by the said
 " creditors in the ordinary
 " course of justice, the Unit-
 " ed States will make full
 " and complete compensa-
 " tion for the same to the
 " said creditors." *Then the*
article provides for the appoint-
ment of commissioners, who are
to be invested with full power
to determine finally on the se-
veral claims. Two commission-
ers are to be appointed by each
party, and these four are to
appoint a fifth.—" 18 months,
" from the day on which the
" commissioners shall form a
" board, shall be assigned
" for receiving complaints
" and applications.—And
" the United States under-
" take to cause the sums so
" awarded to be paid in
" specie, &c."

" jesty; and that from va-
 " rious circumstances be-
 " longing to the said cases,
 " adequate compensation for
 " the losses so sustained can-
 " not now be actually ob-
 " tained, had and received,
 " by the ordinary course of
 " judiciary proceedings; It
 " is agreed, that in all cases
 " where adequate compen-
 " sation cannot, for what-
 " ever reason, be now ac-
 " tually obtained, had and
 " received, by the said mer-
 " chants and others in the
 " ordinary course of justice,
 " full and complete com-
 " pensation for the same will
 " be made by the British
 " Government to the said
 " complainants."—"And
 " for the purpose of ascer-
 " taining the amount of
 " such losses and damages
 " five commissioners shall be
 " appointed, and authorized
 " to act in London, exactly
 " in the manner directed with
 " respect to those mentioned in
 " the preceding article."—"The same term of 18 months
 " is also assigned for the re-
 " ception of claims, and
 " they are in like manner
 " authorized to extend the
 " same."—"And his Bri-
 " tannic Majesty undertakes
 " to cause the same to be
 " paid to such claimant in
 " specie, &c."

I have placed these two articles opposite to
 each other to give the reader an opportunity

of comparing them; because the *citizens* of Boston Town-meeting seem to found their objection to both on the dissimilarity between them. "The capture," say they, "of vessels and property of the citizens of the United States, made under the authority of the government of Great Britain is a national concern, and claims arising from such captures ought not to have been submitted to the decision of their admiralty courts, as the United States are thereby precluded from having a voice in the final determination in such cases. Besides, the indemnification proposed to be made, is to be sought by a process tedious and expensive, in which justice may be delayed to an unreasonable time, and eventually lost to many of the sufferers from their inability to pursue it; and *this mode of indemnification bears no proportion to the summary method, adopted for the satisfaction of British claims.*"

You will not be able to account for this, till you are told, that the Town-meeting *citizens* never read the treaty, before they had sanctioned these resolutions. You see by the 6th and 7th articles, that the mode of indemnification to the British subjects and American citizens is one and the same, that both are to be finally determined by commissioners, and both paid punctually in specie; and yet the *citizens* of the Boston Town-meeting see a difference in every part of it. They complain

that the decision of American claims is left to the English courts of admiralty, when the treaty says it shall be left, in cases where satisfaction cannot be obtained in the ordinary course of justice, to commissioners, with full power to determine finally. They oppose things to each other which are not only the same in substance, but almost word for word. What must the President think of the Town-meeting, when he received from them a senseless memorial, or rather ordonance, like this?

It would be truly curious to know what mode of indemnification these *citizens* would have wished for. Can there be a fairer, more honourable mode, than that fixed on by the treaty? It is likely they would have been contented, if *George* and *Pitt* had been made to ask pardon of their Majesties the sovereigns of America. I do not think it is at all improbable that they might believe, that this was easy for Mr. Jay to accomplish. They have been so long cozened and cajoled by their *public servants*, as some of their *masters*, have the complaisance to call themselves, that they begin to think themselves the sovereigns, not only of the United States, but of the universe.

What do they mean by the mode of indemnification bearing no proportion to the *summary method*, adopted for the satisfaction of British claims? Can any method be too summary in the payment of debts, that have been due for *twenty* years? I think not. However, as I have already observed, summary or not summary, the method is exactly the same as that

adopted for the satisfaction of American claims, and, therefore, if you have reason to complain, so have the British, and this would be singular, indeed.

Art. VIII. Provides for the payment, &c. of the above mentioned commissioners.

This article has had the good fortune to escape censure.

Art. IX. Stipulates, that the subjects of Great Britain holding lands in the United States, and the citizens of the United States now holding lands in the dominions of his Britannic Majesty, shall continue to hold them, and, in what respects those lands, shall not be regarded as aliens.

The Boston Town-meeting citizens say nothing about this article. It was for some days a subject of newspaper abuse; but the opposers soon began to perceive, that they were fighting against nothing; the article not being made to introduce a new system, but merely to establish an old one.

Art. X. Stipulates, that neither the debts due from individuals of the one nation to the individuals of the other, nor shares, nor money which they may have in the public funds, or in the public or private banks, shall ever, in any event of war, or national differences, be sequestered or confiscated.

That people who disapprove of paying debts that have been due twenty years, should also disapprove of this article is not at all surprising; accordingly the citizens of the Boston Town-meeting highly disapprove of it; "because," say they, "the exercise of this right (the right to confiscate &c.) may con-

“tribute to preserve the peace of the country,
 “and protect the rights and property of the ci-
 “tizens.”

It is well known (and will be well remembered too) that, before *Mr. Jay's* departure for England, a resolution was entered into by the House of Representatives, on the motion of *Mr. Dayton*, to sequester all debts and funds, the property of British subjects: The article before us guards against this, and as there was not an honest man in the Union (a majority of the House of Representatives excepted), who did not execrate *Mr. Dayton's* plundering motion, as it was called, so, I believe there is not one of that description, who does not most cordially approve of the article which will, for the future, render such motions abortive.

It was easy to foresee that the King of Great Britain would never come to any arrangement, without a provision of this kind. It would have been much better for his subjects to break off all communication with you at once, than to have not only their profits but their capitals depending on the arbitrary will of your government. Where would be the security of merchants trading to this country, if the debts due them might at any time be seized to pay for damages, received by Americans from somebody else.

Credit is with nations as with individuals; while unimpaired it is almost unbounded, it can perform any thing; but one single retrograde step, and it is blasted, it is nothing,

Your credit has suffered much from the motion of *Mr. Dayton*, and had the sequestration become a law, or had the mercantile world been left in doubt concerning what might happen in future, one half of the great capitals that now give wings to your commerce, would have found their way to other countries, Riches seek security, as rivers seek the sea.

It is pretended by the Town-meeting, that a power to confiscate might contribute to the peace of the country. This was certainly a very curious reason on which to found an objection to the article, and not less so, as coming from a faction, who have constantly censured the President for not joining France in the present war. But, in place of contributing to the peace of the country, would it not be an eternal source of war? and is not this the true reason why all the old committeemen, privateersmen, and confiscators are loath to abandon it? I think so. It is to be supposed that the Congress will, for some years, consist, partly, of men who would prefer the glutting of their impotent revenge to the good of their country; and of others who, while your connexions with France continue, will, for solid reasons too evident to need a mention, prefer her interests to yours. These men will ever seek a quarrel with Great Britain. With respect to war, however, they will be cautious, as far as open professions go. The people have not yet forgot what war is. But, armed with confiscating powers, they would brandish them at every turn; and plunder is a thing that pleases the

populace so much better than fighting, it is so much easier to beat in the door of a scrutoire, than to beat a British fleet or army, there is very little fear of their confiscating measures being approved of by the majority *in number*. But, would all end here? Would the British look tamely on? I am of opinion they would not. If the object of Great Britain, in offending you, should be to provoke a war, she would disregard five or six millions of dollars; should it not be war, an act of sequestration or confiscation would certainly produce a war. Thus, in both cases, you would have war, and with this disadvantage, that you would give your enemy a fair pretext; from being the injured party, you would become the aggressors, unite every heart and hand against you in Great Britain, and excite the mistrust and contempt of other nations.

To say that you have no other means of defending "the rights and property of your citizens," is beyond expression degrading; but the Town-meeting are not singular in this opinion. A writer in the *Aurora* of Philadelphia, observes, that "confiscation may be regarded as *the American weapon of defence*, "and that to abandon it, is an outrage on *humanity, policy, justice, and natural right*." What! a nation of sovereigns no weapon of defence but that of a swindler! Tell us no more, then, that you are a *great* people; give up all pretension to a place among the nations of the earth, for none of them have ever avowed so vile, and pusillanimous a principle.

“ *Justice* is outraged,” because you have stipulated *not* to make the innocent suffer for the misdeeds of the guilty ! Because you have engaged *not* to ruin a few honest individuals for injuries received from a nation, you have outraged *humanity* ! Ah ! you preachers of humanity, I never liked you, and now I hate you from my soul.

“ The capture” (say the Town-meeting in another of their resolutions) “ The capture of the vessels and property *was a national concern.*” Here, then, there is a good reason for depreciating *Mr. Dayton’s* motion, in place of approving of it. But, *Franklin* has something so very striking on this subject, that it must not be passed over in silence. In one place he blames the President for preventing the adoption of *Mr. Dayton’s* resolution, which he calls a *dignified measure* ; and in another place, speaking of the indemnity obtained by the treaty he says, “ The aggression was an offence against the nation, and therefore *no private compensation* ought to be deemed competent. “ As the depredations on our commerce and the indignities offered to our flag, were a *national outrage*, nothing short of *national satisfaction* ought to be admitted. The piracies of Great Britain were committed under the authority of the government, *the government therefore ought to be answerable for them.*” And yet, the same man that has made this plain, unequivocal declaration, has also declared, that it was a *dignified measure*, to

seize the property of *innocent individuals*, lodged in the banks, and the funds of this country, or in the hands of their friends! He has declared it to be a dignified measure, to rifle the bureau of the merchant, pry into the secrets of the friend, sanction the proceedings of the villain, and forbid the honest man to pay his debts.

One thing, above all, ought to be considered on this subject: that an act of sequestration or confiscation must ever fail in its operation, or establish the most consummate tyranny. Do these *humane citizens* think, that I, for example, would give up what had been entrusted to me by a friend, or what I owed to a correspondent? No; I should look upon the oaths they might impose on me, as taken with a dagger at my breast. In short, their plundering law, could never be put in execution, except under the government of a French Convention.

Art. XI. *Is only an introduction to the following ones.*

Art. XII. *Is to be the subject of a future negotiation, and, therefore, is not a part of the treaty as approved of by the Senate.*

Art. XIII. *Consents, that the citizens of the United States may carry on a free trade to and from the British territories in India, but they must carry the merchandise shipped in the said territories, to some part of the United States, and that the citizens of the United States cannot settle in the said territories, or go into the interior of the country without express permission from the government there.*

To this the Town-meeting object; "because the commerce we have hitherto enjoyed in India, in common with other nations, is so restricted by this article, that, in future, it will be of little or no benefit to our citizens." This objection seems to have been founded on a mistake (perhaps a willful one), that has been propagated with a good deal of industry: "that this article prevents you from re-exporting the merchandise brought from the British territories in India." It was excusable in the *citizens* to follow up this error, because they either did not, or could not, read the treaty; but, I hope, they will now take my word, and assure themselves, that if ever any of them should acquire property enough to be concerned in mercantile affairs, and should receive a cargo from India, they may ship it off again as soon as they please.

Art. XIV. and XV. *Stipulate for a free intercourse between the British dominions in Europe and the United States. The advantages are perfectly reciprocal, as far as they can be rendered so by treaty. The two parties agree that no higher duties shall be paid by the ships or merchandise of the one party in the ports of the other, than such as are paid by the like vessels and merchandise of all other nations. This is the principal object of these articles; but there are some particular stipulations respecting the equalization of duties, &c. in which Great Britain appears to have reserved to itself a trifling advantage.*

To these articles the Town-meeting have some particular objections ; but as these are founded upon an opinion, expressed afterwards in a general objection, it will be sufficient to answer the general objection only. “ Because the nature and extent of the exports “ of the United States are such, that in all their “ stipulations with foreign nations they have it “ in their power to secure a perfect reciprocity “ of intercourse, not only with the home do- “ minions of such nations, but with all their “ colonial possessions.”

It is first necessary to observe, that, what these citizens mean by *reciprocity*, goes a little beyond the common acceptation of that term. They do not mean, *an advantage for an advantage*, they mean all the advantage on their side, and none on the other ; they mean, that all the ports of all the nations with whom they trade ought to be as free for them as for the subjects of those nations ; they mean, that other nations should maintain fleets and armies to keep up colonial possessions, and that they should reap the profit of them ; in short, they mean, that all the *poor subjects* in the world are made for the *citizens* of the United States to domineer over. Nor is it much to be wondered at that they should entertain these lofty pretensions, if we consider how they have been *becitizenized* and *befovereigned* up within these few years. One half of them believe, that it is in their power to starve the whole world, when they please to *make* the government put on an embargo ; they were fretted to death

that the President would not let them go to take Canada, Nova Scotia and the West Indies; nor would they have been pacified, if they had not been assured, that they should have them all in a hundred years time.

This is all very well for these Citizen-sovereigns, and Sovereign-citizens; but for you who, I hope, have no pretension to this kind of civic royalty, it becomes you to talk and think like reasonable creatures.

Before I go any further, I must notice what *Franklin* says on the subject. "The articles
 " of commerce in the United States are generally the necessities of life; few of its luxuries are born, or cultivated among us; does it
 " appear, then, that a commercial treaty is necessary to afford an out-let to things of the first
 " requisition? It is a fact *well ascertained*, that
 " the West India Islands are *in a state of dependence among us*, and by means of this
 " dependence, *we are enabled to make* such
 " regulations with respect to our commerce,
 " as shall render a treaty with Great Britain
 " wholly superfluous. *It is equally ascertained*,
 " that in our commerce with Great Britain
 " herself, the balance of trade is considerably
 " in her favour, and from this circumstance
 " likewise she would be induced to *reciprocate*
 " interests, without a commercial treaty,
 " were those means pursued which are in our power."
 " Now, to know the real value of the term *reciprocity*, take the following sentences.
 " *If we cede an advantage for an advantage ceded*
 " *to us, whence the boast of a treaty?* " She
 " (Great Britain) can grant us no commercial

“ privileges that our situation does not enable
 “ us to *exact* ; why then wave the most import-
 “ ant *demands*, to obtain a grant of commer-
 “ cial advantages, which we could *compel* ?”
 This is the language of all the *Patriots* of the
 present day.

If what the *Patriots* say be true, then, you
 have it in your power to *exact* from Great
 Britain what conditions you please ; 1st. be-
 cause your articles of exportation are, in great
 part, necessaries of life ; 2d. because the British
 West Indies are in a state of dependence on
 you ; 3d. because the balance of trade with
 Great Britain is greatly in her favour.

1. *Beause your articles of exportation are in
 great part, necessaries of life.* This idea is ori-
 ginally of the populace, who look upon every
 barrel of provision shipped off to the West In-
 dies, or else where, as so much loss to them-
 selves, and as a kind of alms to keep the poor fo-
 reign devils from starving : and, in return for
 this generosity on their part, they imagine they
 have the power to *compel* the beggars to do just
 what they please. From the populace it
 found its way into Congress, under the auspi-
 ces of a member of that body who made it the
 ground work of his famous resolutions, intended
 to *force* Great Britain to yield you commer-
 cial advantages. No wonder, then, that it
 should now be taken up by *Franklin*, and all
 the opposers of the treaty. They cannot con-
 ceive how a nation, to whom you throw a mor-
 sel of bread when you please, should dare re-
 fuse you any thing.

That your exports being, in great part, necessaries of life (that is *eatables*) ought to give you a preference in commercial relations, is an error, and not the less so for being a popular one. Commodities being eatables may give the seller a preference in a town during the time of a feige, but not in the great world of commerce. It is as necessary for you to sell your produce as for a toy-man to sell his toys. If they rot in your stores their being necessaries of life will not diminish the loss. If the land is obliged to lie fallow, the mill stand still, and the vessels rot at the wharfs, little satisfaction will it be to the farmer, the miller and the merchant, that they all used to be employed in cultivating and distributing the necessaries of life. When a man is reduced to beggary for want of a vent for his goods, it signifies not a farthing to him, whether these goods were necessaries of life, or luxuries. No; it is the pecuniary gains, arising from trading with a nation, which ought to give, or which can give, that nation a right, or a power, to *exact* commercial advantages; and not the nature of the merchandize she has to export.

2. *Because the British West Indies are in a state of dependence upon you.* For my part, I cannot conceive how they make out this *state of dependence*. The exportation of your articles being as necessary to you as the importation of them is to the Islands, you depend upon them, as much as they depend upon you. You receive Sugar, Molasses, Coffee, and Rum, from the Islands; these, too, are necessaries of life;

and such as you could not possibly do without. I cannot pretend to say what proportion your imports from the Islands bear to your exports to them ; but there must be a balance of trade either for or against you. If the balance be against you, you receive more of the necessities of life from the Islands, than you carry to them, and they cannot, then, be in a state of dependence, on that account : if the balance be in your favour, then the trade is an advantageous one for you, and, if it makes a dependence on either side, it makes you dependent on the Islands. Observe here, that the *Patriots* suppose you have the power of *compelling* Great Britain to do what you please, because, in her trade with you, *the balance is greatly in her favour*, and because, in your trade with the West Indies, *the balance is in your favour*. Thus the West India Islands are in a state of dependence on you, because you gain by them ; and Great Britain is in the same state because she gains by you ! No wonder the citizens of the United States should think themselves sovereigns.

3. *Because the balance of trade with Great Britain is greatly in her favour.* This balance of trade, assert the *Patriots*, is to give you what terms you please to *exact*, “ if you pursue the “ means that are in your power.” These means are *prohibiting the importation of British merchandizes* ; and this, they assert, would do her much more harm than it would you. A better reason of action than this might, perhaps, be found ; but as it seems to be a favourite

one with them, and, indeed, the only one by which they are actuated, I shall take them up upon it, and endeavour to convince you, that they are mistaken.

I will suppose, with the *Patriots*, that the manufactures you receive from Great Britain are not necessary to you. I will suppose that you have the capitals and raw materials for establishing manufactories of your own; I will suppose one third of your peasants (I beg pardon, I meant *Yeomen*) and sailors changed by a *presto* into weavers, combers, fullers, whitesmiths, &c. &c; I will suppose the manufactories going on, and all of you inspired with patriotism enough to be happy, dress'd in the work of their hands; I will suppose, in short, that you no longer stand in need of British manufactures. This is allowing my adversaries every thing they can ask, and all I ask of them in return, is, to allow me, that Great Britain stands in no need of *your manufactures*. If they do not refuse me this, as, I think, they cannot, I have not the least doubt but I shall prove, that cutting off all communication between the countries, would injure you more than Great Britain.

The imports being prohibited on each side, and both being able to do without them, the injury must arise from the stoppage being put to the exports; and as Great Britain sells you much more than you sell her, the *Patriots* maintain, that this stoppage would do her more harm than it would you. This was the shield and buckler of *Mr. Madison*. He com-

pared the United States to a *country gentleman* and Great Britain to a *pedlar*; and declared, that you might do without her, but that she could not do without you.

How illusive this is we shall see in a minute. It is a maxim in commerce, that the exports of a nation are the source of her riches, and that, in proportion as you take from that source, she is injured and enfeebled; hence it follows, that cutting off the communication between Great Britain and you would injure her more than you, in proportion to the balance now in her favour; that is to say, *if the total of her exports and the total of your exports were to the same amount*. But this is far from being the case: your exports amount to no more than 20 millions of dollars, or thereabouts, 9 millions of which go to Great Britain and her dominions, while the exports of Great Britain amount to 100 millions of dollars, no more than 15 millions of which come to the United States. Suppose, then, all communication cut off at once; you would lose 9 twentieths of your exports, while Great Britain would lose only 15 hundredths of hers: so that, if there be any truth in arithmetic, you would injure yourselves three times as much as you would her.

These considerations will, of course, have no weight with the honest stipendiaries of France; but with those whose only desire, is to injure Great Britain *more* than the United States, they ought to have some weight.

If what I have advanced on the subject be correct, "the nature and extent of your exports" do not give you a power "to demand, to exact, to compel," what conditions you please in your commercial relations with Great Britain; and it follows, of course, that *Franklin* and the citizens of Boston Town-meeting are mistaken.

Art. XVI. *Relates to consuls.*

This article has not been meddled with, as yet.

Art. XVII. *Permits, or rather expressly, stipulates for what is allowed by the law of nations, the seizing of an enemies property on board the vessels of either party.*

Art. XVIII. *Specifies what are contraband articles, and settles an honourable and equitable system of seizure.*

As these two articles have been objected to by nobody but the agents of France, as they seem to affect the French more than any body else, and as that august diet, the Convention, may be at this time debating on the subject, it would be presumption in the extreme for me to hazard an opinion on it.

Art. XIX. *Provides for the protection of the vessels and property of the subjects and citizens of the contracting parties.*

I have heard nothing urged against this article.

Art. XX. *Stipulates that the two contracting parties will not only refuse to receive pirates into their ports, &c. but that they will do the utmost in their power to bring them to punishment.*

Without objection ; for any thing I have heard.

Art. XXI. *Stipulates, that the subjects and citizens of each of the contracting parties shall not commit violence on those of the other party, nor serve in the fleets or armies, or accept of commissions from its enemies.*

Some of the friends of neutrality object to this, as it prevents them from assisting the French, and from making war upon Great Britain for the future, under the cloak of neutrality.

Art. XXII. *Stipulates, that no act of reprisal shall take place between the parties, unless justice has first been demanded, and refused, or unreasonably delayed.*

This is opposed by the friends of sequestration and confiscation, as it would give people time to shelter their property from the claws of the Patriots.

Art. XXIII, XXIV, and XXV. *Provides certain regulations concerning ships of war, privateers, and prizes taken from the enemies of the contracting parties.*

Much was said about these articles, 'till it was proved that they were copied from the treaty of commerce made between France and England since the American war ; since your treaty with France. This was a circumstance that the Patriots, who are none of the best read in such things, were not aware of.

Art. XXVI. *Provides for the security and tranquility of the subjects and citizens of the two parties, living in the territory of each other at the breaking out of a war.*

This article has escaped censure.

Art. XXVII. *Stipulates for the giving up of murderers and forgers.*

This article has been the innocent cause of much alarm. The *Patriots*, lately imported from Great Britain and Ireland, and several members of the Democratic societies in this country, were afraid that it was to have a *retrospective* effect. Upon receiving an assurance to the contrary, their fears are in some measure dissipated; but they nevertheless oppose the treaty, on this account, with all their might. A writer (and I am mistaken if he be not the same who has drawn up a certain petition to the President) affirmed in one of your papers, a few days ago, that this article was “a cruel stab to the *sovereignty* of the people, “and militates against the *law of nature*!”

From the description of the persons who have hitherto opposed the treaty, and from the futility of the reasons they have given for their opposition, there is every reason to imagine, that great part of them object (in the bottom of their hearts) to this article only. If this be the case, it is pity the article was introduced. Forgers and murderers, if left to themselves for a time after their flight, would not fail to meet the fate, which the article was made to insure to them, and it is little matter in what country they suffer.

Art. XXVIII. *Relates to the duration of the foregoing ones, and the ratification of the treaty.*

This article, which ends the treaty, is of such a nature as to admit of no objection.

Now, you will observe, that it is not my intention to render this treaty palatable to you ; I shall not insist, therefore, that the terms of it are as advantageous as you might wish, or expect them to be ; but I insist that they are as advantageous as you ought to have expected. Great Britain grants you favours, she has never granted to any other nation ; and that no other nation, not even your Sister Republic, has granted you. Nor can it be said, that, in return, you grant her favours, which you have not granted to other nations ; several favours, granted to France, you have still withheld from Great Britain, even if the present treaty goes into effect. Great Britain does not, then, receive favours, as it has been absurdly asserted, but she grants them.

Had the terms of the treaty been so decidedly advantageous to the United States as to destroy every principle of reciprocity, it might, *perhaps*, have escaped much of the censure that has been passed on it ; but would any man of discernment have been pleased with such a treaty ? Would he have seen in it the foundation of a lasting peace ? No ; he would have suspected that it had been yielded to, in a moment of embarrassment, merely to amuse you, 'till a change of circumstances would enable Great Britain to assume another tone, and refuse you every thing ; and, whatever your demagogues may say to the contrary, such a change was near at hand.

I cannot dismiss this part of my subject, without observing, that *Charles Fox* made, in

the British Parliament, exactly the same objections to the treaty, as the *Patriots* in this country have made. It was *humiliating* to Great Britain, he said. Unfortunate, indeed, must be the negociators, who have made a treaty humiliating to both the contracting parties! *Mr. Fox's* censure is the best comment in the world on that of the American *Patriots*, and theirs on his.

I now come to the third object of the censure of *Franklin*: the conduct of the President relative to the treaty.

III. That supposing the terms of the treaty to be what every good American ought to approve, yet the conduct of the President, relative to the negociation and promulgation of it, has been highly improper, and even monarchical, and for which he deserves to be *impeached*.

Franklin has not obliged the world with articles of impeachment regularly drawn up; but, as far as can be gathered from his letters, he would have the Chief Magistrate of the Union impeached; 1st. for having appointed *Mr. Jay* as Envoy extraordinary; 2d. for having appointed an Envoy extraordinary, on this occasion, contrary to the opinion of the House of Representatives and of the Democratic Society; 3d. for his reserve towards the Senate, previous to *Mr. Jay's* departure; 4th. for his reserve towards the people; and, 5th. for having evaded a new treaty with France, while he courted one with Great Britain.

The first of these, the appointing of Mr. Jay as Envoy extraordinary, is declared to be *unconstitutional*. "The Man of the people," says *Franklin*, it was believed, would not have consented to, much less have originated a mission, hostile to the Constitution, unfriendly to the functions of the legislature, and insulting to a Great people, struggling against tyrants. The appointment of the Chief Justice of the United States as Envoy extraordinary, to the court of Great Britain, put to defiance the compact under which we have associated, and made the will of the Executive paramount to the general will of the people. The principle laid down by this appointment, strikes at the root of our civil security; nay, it aims a deadly blow at liberty itself." The word *unconstitutional* is, with the opposers of the government, a word of vast import: it means any thing they please to have it mean. In their acceptation of the word, therefore, I cannot pretend to say that the conduct of the President, in appointing Mr. Jay, was not *unconstitutional*; but if *unconstitutional* be allowed to mean, *something contrary to the Constitution*, I think it would be very difficult to prove, that the appointment was *unconstitutional*; for, certain it is, there is no article in the Constitution, that forbids, either literally or by implication, the employing of a Chief Justice of the United States on an extraordinary embassy. "The Constitution," says *Franklin*, "has provided, that the different departments of government should be kept dis-

“ tinct, and, consequently, to unite them is a
 “ violation of it, and an encroachment on the
 “ liberties of the people, guaranteed by that
 “ instrument.—The appointment of *John Jay*,
 “ Chief Justice of the United States, as Envoy
 “ Extraordinary to the court of Great Britain,
 “ is contrary to the spirit and meaning of the
 “ Constitution; as it unites in the same
 “ person judicial and legislative functions.” If
 as it is here asserted, the President had united
 the judicial with the legislative functions,
 it must be confessed, that he would have depart-
 ed from the spirit and meaning of the Consti-
 tution; but, has the mere negociation
 of a treaty any thing to do with the legislative
 functions? It appears to me not. Treaties
 are the supreme law of the land, and, therefore,
 the sanctioning of them, the making of them
 laws, is a legislative act; but the mere draw-
 ing of them up, the preparing of them for
 the discussion of the legislature, is no legisla-
 tive act at all.

If negotiating be a legislative act, it naturally
 follows, that nobody but the legislature, or
 some member or members of it, could be em-
 ployed in a negociation; and the Constitution
 expressly provides, that, “ no member of
 “ Congress shall, during the time for which
 “ he was elected, be appointed to any civil
 “ office, under the authority of the United States
 “ which shall have been created during such
 “ time.” Thus then if the *spirit* of the Consti-
 tution makes negotiating a legislative act,

and, consequently, requires a legislator to negotiate a treaty, and the *latter* positively forbids it, the whole clause respecting treaties is superfluous, for there ought never to be any such thing as treaties.

When the secretary of either department brings forward a plan for the consideration of Congress, does he act in a legislative capacity? And what more is an unratified treaty? In short, if a negociator acts in a legislative capacity, so does every petitioner; nay, every clerk and printer, employed by Congress.

The Chief Justice is further objected to as an Envoy Extraordinary; on this occasion, because, "treaties being the supreme law of the land, it becomes the duty of the judiciary to expound and apply them, and, therefore, to permit an officer in that department to share in their formation, is to unite distinct functions, tends to level the barriers of our freedom, and to establish precedents pregnant with danger." If the mere formations of laws by gentlemen of the bar tends to level the barriers of your freedom, I am afraid the barriers of your freedom are already levelled; for I believe, there are very few laws that do not pass through their hands, or concerning which their advice is not asked, before they are sanctioned. *Franklin* (perhaps through ignorance) confounds the *formation* with the *making* of a law; how essentially they differ I leave you to determine.

To object to the Chief Justice as a negociator, because it would become his duty to expound

and apply the treaty he was to negotiate, is what I should expect from nobody but *Franklin* or some one of his faction. Was ever a man, before, supposed to be less capable of expounding and applying a law, because he had assisted in framing it? Or was he, on that account, ever supposed to be less desirous of seeing it duly and faithfully executed? Pursue this monstrous maxim, and see where it will end. If it be unsafe to trust the expounding and applying of a law to him who has assisted in framing it, must it not be much more unsafe to trust the expounding and application of it to those who have assisted in making it? And, is it not, then, unsafe to admit gentlemen of the law into Congress, without incapacitating them from pleading at the bar, or, at least, from becoming judges, for ever after? Suppose, for instance, that one of the present Senators were to be appointed Chief Justice in the room of *Mr. Jay*, would he not have to expound and apply the treaty which he has just assisted in making? And should some of the gentlemen of the other house be, at a future period, appointed judges of the supreme court, would they not have to apply the laws, which, as legislators, they have assisted in making? Should a commander in chief propose to Congress a plan for the regulation of the troops, and should it become a law, would it be said, that the General had united the legislative with the military functions, and that he ought to be dismissed from the service, as unfit to expound and apply the law which he

had proposed. The principle of *Franklin*, if adopted, would render it absolutely impossible for the Congress to avail themselves of the talents or integrity of any one out of their own body.

But, at any rate, had this objection been well founded; had there been cause to fear the consequences of leaving the treaty to be expounded and applied by him who had assisted in framing it, the danger is now over: *Mr. Jay* is no more Chief Justice; the *freemen* of the State of New York knew how to estimate his merit rather better than *Franklin*. Fortune seems to have lent a hand in depriving the enemies of the government of all grounds of complaint, and yet they make a shift to keep the Union in an uproar.

Another objection to sending the Chief Justice on this mission, is, that a *President* might thereby escape from the hands of justice, or, at least, elude a trial. "From the nature," says *Franklin*, "and terms of an impeachment against a President of the United States, it is not only necessary that the Chief Justice of the United States should preside in the Senate, but that he should be above the bias which the honour and emolument in the gift of the Executive might create." 'Tis true, the constitution says, that, "when the President of the United States is tried, the Chief Justice shall preside." But, waving the insolence and most *patriotic* ingratitude of this insinuation; admitting your President to be what *Franklin* would make you believe he is,

and that the necessity of impeaching him was a thing to be expected, I cannot perceive any great inconvenience that could arise from the absence of the Chief Justice. The President could not be impeached before the opening of Congress, and, by that time, it was reasonable to suppose, that the object of the extraordinary mission would be accomplished, and the Envoy ready to return. An impeachment against the President could hardly be hurried on in such a manner as not to leave an interval of four months between his accusation and trial, a space quite sufficient for recalling the Chief Justice. And as to the bias, that the honour and emolument attached to the office of Envoy might create in favour of the culprit President, that could not be very powerful, because, the office of Envoy must cease, before the Chief Justice could enter on his functions as Judge on the President ; and *Franklin* ought to know by his own heart, that *gratitude for past services* would have but very little weight in favour of the offender.

There is one objection remaining, which, if well founded, is really of a serious nature. *Franklin* positively asserts, that the appointment of the Envoy Extraordinary was strongly protested against by a very *respectable minority* of the Senate ; and not by them alone, but by the *Democratic Society of Pennsylvania* also ! That this respectable minority should coincide in sentiment with the *Pennsylvania democratic society* is, indeed, a circumstance that deserves to be well attended to ;

and, no doubt, it has had, and will yet have, due weight with the President.

How it came into the head of *Franklin* to introduce his club on this occasion, it is not easy to imagine. He does not pretend, I hope, that there is something unconstitutional here also? The Constitution says, that the President shall take the advice of the Senate, but it is totally silent with respect to the democratic society of Pennsylvania. Mightily "alarming," indeed, that the President should not consult this club of butchers, tinkers, broken hucksters, and transatlantic traitors! Had he wanted a fellow to fell an ox or mend a kettle, to bilk his creditors or blow up an insurrection, he would have done well to address himself to the democratic society of Pennsylvania for advice; but to ask their advice in the appointment of an Envoy Extraordinary would have been as preposterous as consulting the devil in the choice of a Minister of the Gospel.

I have now answered, and I hope to your satisfaction, what *Franklin* calls his *constitutional objections* to the appointment of *Mr. Jay* as Envoy Extraordinary; it remains for me to take notice of one of a more personal nature.

Franklin, conscious that *Mr. Jay's* character for wisdom and integrity was unimpeachable, has conjured up against him an opinion, which he gave some time ago, concerning the Western Posts. He says: "After the declaration made by *John Jay* that Great Britain "was justifiable in her detention of the Western Posts, it was a sacrifice of the interests

“ and peace of the United States to commit
 “ a negociation to him, in which the evacuati-
 “ on of those posts ought to form an essential
 “ part.” This unqualified declaration, “ that
 “ Great Britain was justifiable in her detention
 “ of the Western Posts,” is a most shameful mis-
 representation of *Mr. Jay’s* opinion on the
 subject. By this declaration *Franklin* infi-
 nuates, that *Mr. Jay* had given it as his opi-
 nion that Great Britain would be justifiable
 in her detention of the Western Posts for ever ;
 whereas his opinion was, that she was justifi-
 able in detaining those posts, only ’till the sti-
 pulation of the treaty of peace with respect
 to debts, due to British Subjects from some
 of the States, should be fulfilled. And was
 there a candid, honest man in the United States
 who differed in opinion from *Mr. Jay*, on this
 subject ? Very few I believe, except it were
 through ignorance. I am fully convinced,
 that there is not, at this time, a single well in-
 formed man in this country, who is not satisfied,
 that Great Britain was justifiable in her deten-
 tion of the Posts ; to object then, to *Mr. Jay*
 as an Envoy Extraordinary, because he
 had given his opinion to that effect, was to
 object to him for having spoken the truth,
 like an independent honest man : indeed,
 the *Patriots* seem to look on honesty as a na-
 tural disqualification, and, therefore, their ob-
 jection to *Mr. Jay* is not so unaccountable as it
 otherwise would be.

Must not those people, who so boldly assur-
 ed you, that *John Jay* would betray your in-

terests, that he would sell the Western Posts, &c. have blushed when they saw that a surrender of these Posts was the first thing he had stipulated for? No; a *Patriot's* skin is like the shield of the Grecian hero; blood cannot penetrate through "ten bull hides."

The following anecdote will at once prove the injustice of charging *Mr. Jay* with a wish to abandon the Western Posts to the British, and confirm the Prudence of the President's choice.

"From here," says *Mr. Brissot*, "we went
"to New Rochelle. This place will always
"be celebrated for having given birth to one
"of the most distinguished men of the American Revolution; a republican remarkable for
"his firmness and his coolness, a writer eminent
"for his nervous style, and his close logic,
"Mr. Jay.

"At the time of laying the foundation of
"the Peace of 1783, *Mr. de Vergennes*, actuated by secret motives, wished to engage
"the ambassadors of Congress to confine their
"demands to the fisheries, and to renounce
"the *Western Territory*. The minister required
"particularly, that the independence of America should not be considered as the basis of the
"peace; but, simply, that it should be conditional. To succeed in this project, it was
"necessary to gain over *Jay* and *Adams*.
"Mr. Jay declared to *Mr. de Vergennes*, that
"he would sooner lose his life than sign such
"a treaty; that the Americans fought for
"Independence; that they would never lay

“ down their arms ’till it should be fully con-
 “ secrated ; that the court of France had re-
 “ cognized it, and that there would be a con-
 “ tradiction in her conduct, if she deviated
 “ from that point. It was not difficult for *Mr.*
 “ *Jay* to bring *Mr. Adams* to his determina-
 “ tion ; and *Mr. de Vergennes* could never
 “ shake his firmness.

“ *Mr. Jay* was equally immoveable by all
 “ the efforts of the English Minister, whom
 “ *Mr. de Vergennes* had gained to his party.
 “ *Mr. Jay* proved to him, that it was the in-
 “ terest of the English themselves, that the
 “ Americans should be independent, and not
 “ in a situation which would render them de-
 “ pendent on their ally. He converted him to
 “ his sentiment ; for his reasoning determined
 “ the court of St. James’s. When *Mr. Jay*
 “ passed through England in his return to
 “ America, *Lord Shelburne* desired to see
 “ him. Accused by the nation of having
 “ granted too much to the Americans, he
 “ desired to know, in case he had persisted
 “ not to accord to the Americans the *Western*
 “ *Territory*, if they would have continued the
 “ war. *Mr. Jay* answered that he believed they
 “ would, and that *he should have advised it.*”

This is the man whom the *Patriots* accuse
 of intentions of rendering the United States
 dependent on Great Britain, and of abandon-
 ing the Western Posts ! This is the man, who,
 after twenty years spent in the service of his
 country, after having a second time ensured

its happiness and prosperity, is called "a slave, a coward, a traitor," and is burnt in effigy for having "bartered its liberty for British gold!" The ingratitude of republics and republicans has long been proverbial.

2. *Franklin* would have the President impeached, for having appointed an *Envoy Extraordinary to Great Britain* contrary to the opinion of the majority of the *House of Representatives*. "A majority of that House," says *Franklin*, "were in favour of dignified and energetic measures; they spurned the idea of a patient and ignominious submission to robbery and outrage. The different propositions of Messrs. *Madison*, *Clarke*, and *Dayton* substantiate this assertion.—And yet the Executive nominated an *Envoy Extraordinary* in coincidence with the minority, apparently to defeat the intentions of the representatives of the people. This fact is serious and alarming." That the President did nominate, and, by and with the advice of the Senate, appoint, the *Envoy Extraordinary*, contrary to the opinion of the majority of the *House of Representatives*, is, at least, doubtful, because no such question could be agitated in that house; but that he would have been justifiable in so doing is not doubtful at all. Your Constitution, which this Demagogue affects to call the palladium of your liberty, says that the President, with the Senate, shall appoint *Embassadors*, &c. and not a word about the *House of Representatives*.

Without directly denying the authority of the President and Senate in the appointment of an Envoy Extraordinary, *Franklin* asserts that the exercise of that authority was in the present instance, interfering with the dignified and energetic measures that were pending in the House of Representatives. If the constitution had made an exception here, if it had provided that the President and Senate should not appoint an Envoy, but that their functions should be suspended, while dignified and energetic measures, were pending in the other House, I should be ready to confess, that the former had stepped beyond their authority ; but, as the Constitution is silent on this subject, I cannot. It was possible, indeed, for the House of Representatives to fall into an indelicate interference with the Executive, on this occasion, and, perhaps, they did so ; but the Executive could not interfere with them, unless they had first begun to meddle with a branch of authority, which the Constitution had forbidden them to touch. What would be said of the President and Senate, were they to frame a money bill, pass it, and send it to the other House ? Just as consonant to the Constitution is it for that House to interfere in the nomination, or appointment, of an Envoy to a foreign court.

Besides, as to the fact, how did the appointment of the Envoy interfere with the *dignified and energetic measures* ? They were adopted by the House of Representatives, and present-

ed to the Senate, who rejected them, and who would have rejected them, whether the Envoy had been previously appointed or not. This is evident, because had they intended to sanction the *dignified and energetic measures*, they would not have appointed the Envoy ; and therefore, by delaying the appointment, 'till these measures were rejected by the Senate, nothing could have been gained but a loss of time.

Franklin seems to triumph in proving, that the President acted contrary to the opinion of the House of Representatives. I have already observed that that House had nothing to do in the appointment in question ; but, even suppose they had, is the Senate nothing ? What is the use of three branches in the Constitution, if two of them must ever yield to the will of the third, or to the whim of a faction ? To what end has a power been given to the Senate to reject bills sent to them by the other House, if they are never to exercise it, unless it should should happen to be agreeable to the democratic clubs ? In short, why is there a Senate and President at all ? And, indeed, it seems to be the opinion of your countryman *Franklin*, that these two branches, *at least*, are useless. " If," says he, " the *immediate* Representatives of the people were to decide upon " treaties, the secrecy in relation to them would " be more tolerable." After this sentence, it is perfectly ridiculous to hear him censure the Administration for acting *unconstitutionally* ; full as much so, as it is to hear my old friend *Priestley* rebuking *Tom Paine*.

If the *immediate* Representatives of the people, as *Franklin* is pleased to call them, were permitted to decide upon treaties, there is no one act of authority that they would not soon exercise exclusively. Very soon would the whole power of the state be consecrated in one heterogeneous assembly, split up into committees of confiscation, war, and murder. Very soon would your legislature resemble that of your Sister Republic, where every crude idea that comes athwart the brain of a harlequin legislator, becomes a law in the space of five minutes, and issues forth amidst the acclamations of the sovereign people, bearing terror and devastation through the land. You may thank God that your Constitution has provided against a legislative scourge like this. It is this prudent provision alone that has saved you from the dreadful consequences, which the dignified and energetic measures of the *patriotic* triumvirate, *Madison*, *Clarke*, and *Dayton*, would most inevitably have produced.

After having censured the President for not acting in coincidence with the sentiment of the *majority* of the House of Representatives, *Franklin* returns to the charge by censuring him for acting in coincidence with the sentiment of the *minority* of the same House; this he calls, "a serious and an alarming fact," just as if it was not an unavoidable consequence of the other. But, it is not a little extraordinary to hear him censure the President for acting in coincidence with the *minority* of the House of Representatives, when, a few pages before,

he censures him for *not* acting in coincidence with the sentiment of the *respectable minority* of the Senate? Perhaps the epithet *respectable*, which *Franklin* has bestowed on his *minority* of the Senate (and of which, I suppose, the *respectable Mr. Mason* was one), render them superior to the majority, and, if so, their opinion certainly ought to have been followed. But, the truth is, I believe, this *respectable minority* of the Senate were in favour of those dignified and energetic, or dragooning, plundering, measures, which the President did not approve of, and so were the majority of the House of Representatives; and this is the reason why *Franklin*, who is a sort of war trumpet, would have had him guided by the minority of one House and by the majority of the other.

The President's having acted in coincidence with the minority of the House of Representatives ought to be looked upon as a mere matter of accident; for, on the appointment of an Envoy, it was not necessary for him to take cognizance of what was passing amongst them; but, as to his acting in coincidence with the majority of the Senate, it was a duty that the Constitution imposed on him. According to the wish of *Franklin*, the President should have rejected the advice of that branch of the legislature which the Constitution has associated with him in the appointment of an Envoy, to adhere to the advice of another branch, to which the Constitution has allotted no participation in

such appointments. This is what the *Patriots* would have called acting *constitutionally*.

Not content with accusing the President of acting unconstitutionally in nominating an Envoy to Great Britain, *Franklin* adds, that he did it "apparently to defeat the intentions of the Representatives of the people." There is a good deal of bitterness in this. If, by the *Representatives of the people*, *Franklin* means the majority of the House of Representatives alone, I assent to the truth of his remark: nay, I will go further, and own, that I am fully persuaded, the President did appoint the Envoy Extraordinary on purpose to defeat their intentions. But, were I an American, very far should I be from imputing this to him as a crime; for, had he not defeated their intentions, you would by this time have been objects of pity rather than of envy.

There was no person of the least discernment who was not well assured that the object of your *patriotic* Members of Congress, was to reduce you to the necessity of making a common cause with the French. I know they pretended, that they wished to preserve peace. With this desirable object in view one proposed laying such duties on British merchandise and ships, as would go nearly to a prohibition; another proposed an entire prohibition; and a third, in order to preserve peace with Great Britain, proposed seizing all debts and funds, the property of British subjects! These were something like the peace measures adopted in 1776, and had there been a second Independence

to gain, no good Whig could have objected to their being revived ; but this gaining of Independence is a game of hazard that no nation ever ought to play but once. At the present time, it would be an exceedingly silly game for you ; you have every thing to lose, and nothing to win.

I am totally at a loss to account for these gentlemen's motives in endeavouring to plunge this country into a war with Great Britain. I will not affect to believe, that they were under the influence of foreign gold, though I believe them to be as corruptible, at least, as *Mr. Jay*. Interested considerations could have no weight with them ; for, they appear to have lost all idea of private as well as public interest. But whatever might be their motives, the measures they proposed were fraught with beggary, ruin, and dishonour, and if the President, by his nomination of the Envoy to Great Britain, contributed to their being rejected, though supported by the majority of the House of Representatives, he is entitled to the blessing of every lover of this country.

3. *Franklin* would have the President impeached, for his reserve towards the Senate previous to *Mr. Jay's* departure. *Franklin* says " the advice of the Senate was not taken in the treaty with Great Britain." By this, he ought to mean, that the Senate was not informed of the particular objects to be obtained by *Mr. Jay's* mission ; for, if he means (which is possible) that their advice was not taken on the subject of the mission itself, and of the per-

son to be employed on it, he wishes to impose on the unwary what he knows to be untrue. On these subjects their advice was taken, and any further it was not necessary, either in a constitutional or prudential point of view.

“ By the Constitution,” says *Franklin*, “ all
 “ treaties are to be made by and with the ad-
 “ vice and consent of the Senate. The term
 “ *advice* has a natural and obvious reference
 “ to negociation ; *that no negociation shall be en-*
 “ *tered into but with the advice of the Senate.*”
 Before I take the liberty of contradicting our Demagogue here, give me leave to make him contradict himself. “ The President,” says he, in another place, “ has power by and with
 “ the advice and consent of the Senate to *con-*
 “ *clude* treaties ;—that is, the Senate has the
 “ power to accept or reject any treaty
 “ negotiated by the President ; *but this power*
 “ *has not gone to prevent him from opening a ne-*
 “ *gociation with any nation he thought proper.*”
 This *Patriot* was determined no one should triumph in confusing it. A disputant that thus contradicts himself point blank, without any kind of ceremony or apology, sets his adversary at defiance.

Reserving myself till by and by to account for these contradictory expositions of the same text, I am ready to allow, that the latter of them exactly meets my sentiments ; that is, that the share of power, in making treaties, allotted to the Senate, *does not go to prevent the President from opening a negociation with*

any nation he may think proper. This is so clearly pointed out by the Constitution, that one is astonished to hear it controverted by persons capable of reading. "He shall," says that instrument, "have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur: and he shall nominate, and by and with the advice of the Senate, shall appoint Embassadors, &c." And yet *Franklin*, in one place, insists that the term *advice* has a natural and obvious reference to negotiation *only*; "for," says he, "it would be the extremity of absurdity to say, that advice was necessary *after the thing was done*." Whether he has willfully, or through ignorance, confounded *the making* of a treaty with the forming of a treaty, is to me a matter of uncertainty (for he possesses qualities that render either probable); but that he has confounded them is a clear case. A treaty is not *made* till it be *ratified* and, therefore, presenting it to the Senate for their consideration, before it be ratified, is not taking their advice *after the thing is done*. It is taking their advice before it is done; but not, as he seems to think ought to be the case, *before it is begun*. The natural and obvious sense, and, indeed, the only sense of the clause of the Constitution just quoted, is, in my opinion; that the Senate is to be consulted in making treaties, but not in opening negotiations.

Franklin has had the ingenuity to give to the words *advice* and *consent* an application, that most certainly never entered into the thoughts

of those who framed the Constitution. Can he be serious in confining *advice* to what precedes the negotiation, and *consent* to what follows it? If this were correct, the Senate ought never to give their consent to a negotiation, nor their advice concerning a ratification.

To me the sense of the Constitution is extremely clear, as to this point. The words *advice* and *consent* have both a reference to what follows the negotiation; and this will fully appear, if their import in the latter part of the above clause be well weighed, "The President shall nominate, and, by and with the advice and consent of the Senate, appoint Embassadors, &c." Now, if *advice* in the making of treaties, has a natural and obvious reference to *negociation*; so, in the appointment of Embassadors, it must have reference to *nomination*. I leave any one to judge how nonsensical it would have been to authorize the Senate to consent to the appointment of a person, whose nomination they had before *advised*; and yet it would not be more so than to give them the power of consenting to the terms of a treaty formed by their *advice*.

Indeed, it would be flandering the Constitution, to suppose that it contained any thing approaching so near to the anarchical, as to subject the particular objects of a negotiation to an assembly, not obliged to secrecy, before the negotiation is opened. Were this ever to be the case, it easy to foresee that it would be impossible to conclude any treaty of moment, or, at least, to conclude it with

advantage. Suppose, for instance, that the threatened rupture with Great Britain had rendered it necessary for you to form a close alliance with some power in Europe, and that the President had been obliged to make known every stipulation to be made on your part, before the departure of the Envoy ; can you believe that, with such a person as *Mr. Mason* in the Senate (and, from the degeneracy of human nature, you ought to expect that there ever will be some such in it), the affair would have been kept secret, 'till concluded ? or even 'till it was begun ? No ; I'll be hanged if it would. It would have been known in London long before the Envoy's arrival in Europe, and you would have had an English fleet upon your coast, before he could possibly have fulfilled his mission.

Among thirty persons there must ever be a difference in opinion, there must ever be a majority and a minority, and a recent, a very recent, example ought to convince you, that a person of a factious disposition, who has the mortification to find his schemes disconcerted, to find himself lurching in a minority, will go above half way to hell to frustrate the intentions of the majority. It was therefore wise in the framers of the Constitution to give the President a power to treat, without previously consulting the Senate with respect to the objects to be obtained by the treaty.

4. The President ought to be impeached, according to *Franklin*, for his reserve towards the people.

When ignorance or factiousness, or both together, have led a man beyond the bounds of truth and candour, they never let him go, 'till they have plunged him into an abyss of absurdity. Thus has it happened to *Franklin*. After having persuaded himself that the President ought to withhold nothing from the knowledge of the other branches of the legislature, it was natural for him to pursue the error, 'till he found, that, "to withhold the contents of a treaty from *the people*, 'till it was "ratified, indicated a contempt for public opinion, and a monarchical supremacy."

He says that Republics ought to have no secrets, and adds, in the words of *Thomas Paine*, "the secrets of courts, like those of individuals, are always their defects." I do not know whether *Franklin* has strengthened his position or not, in your opinion, by bringing to his aid a maxim of the old broken exciseman, *Paine*; in my opinion, he has weakened it by such an auxiliary. *Paine*, if I mistake not, was one of the half dozen of *Lycurguses* who framed that Constitution of your Sister Republic, which is commonly called *The Constitution of 1793*, and which the gaunt Parisians imagine will shower down bread amongst them, like manna from heaven. When this Constitution begins to operate, there will, undoubtedly, be no such thing as secrecy in the happy country which is to be governed by it; but it will be prudent in you to wait, 'till you see its effects, before you act upon its principles;

and, in the mean time, as you enjoy peace and prosperity under your present half-English Constitution, it will be right to guard it as much as possible against the attacks of the modern *Patriots*.

“ In the compact,” says *Franklin*, “ entered into by the citizens of the United States, certain concessions were made by them, and these concessions are specified in the Constitution ; but, have they conceded a right to an acquaintance with their own affairs ?” Yes, if his question applies, as it evidently does to the terms of an unratified treaty, the people have conceded a right to an acquaintance with their own affairs ; for, in the right of making treaties is necessarily included the right of observing a prudent secrecy concerning them, and, as the former is expressly conceded to the President and Senate, so is the latter. The people have conceded the right of making treaties, and the concession is unconditional ; they have made it without reserving to themselves the right of demanding their promulgation, before they become the law of the land ; without reserving to themselves the right of advising, disputing, and caballing about their contents, before they are known, or of tormenting and reviling the Executive, and burning the negotiators in effigy, when their contents are known.

But, would not *Franklin* be very far from being content with the people’s having this knowledge of their own affairs ? Would he be willing to stop here ? No. “ Where the

people" says he "are virtually, and not nominally, the sovereign, the magistrates *participate*, but do not *monopolize* the supremacy." As he applies this to the treaty, it is evidently his wish to persuade you, that somebody else, besides those who now make treaties, ought to participate therein, and who this somebody is, he takes care to inform you in the next sentence. "If the people," he continues, "have the right and *capacity to govern themselves*, they are certainly entitled to a knowledge of their own affairs; if they are not, a republican government is wholly unfitted to them, for this form of government is founded upon the presumption *that they possess such a capacity*. The people being the *legitimate sovereign* of our government, they have the same right to a knowledge of the affairs of state as a *Monarch*, and every restraint upon this knowledge is an abridgement of their rights." Now, without descanting upon the superabundant nonsensicalness of this passage; without insisting on the absurdity of a government's being founded upon the presumption that the people are capable of governing themselves; without enquiring what is meant by the legitimate sovereign of a government, I shall come at once to *Franklin's* republican *Monarch*. It is well known, that a *Monarch* ought to be at the head of all the great affairs of state, and if the people in a republic ought to have the same sway, a treaty could not only never be ratified, but it never could be negotiated, without their advice being previously taken, and their consent

obtained. *Franklin's* great fault, as a writer, is, want of memory. Must it not shock the reader to hear him give to his *Sovereign People* exactly the same rights as those exercised by a *Monarch*, when, in the very same page, he affirms, that, "to naturalize the practices of Monarchies in a republic is a direliction of every just principle."?

To establish the principle that the sovereign people ought to take an active part in the making of treaties appears to be the real object of *Franklin*, while he is talking about their being acquainted with their own affairs. "To connect," says he, "the secrecy of a *divan* with the formation of a treaty is to double the insecurity of committing the trust out of the hands of the people; for a treaty may be made to barter away our essential interests, and the people may remain ignorant of it, 'till it is too late for a remedy." His meaning here is by no means equivocal. If it be insecure to commit the trust out of the hands of the people, it ought to remain in their hands: if the people have the right to apply a remedy, they must have the right of prevention also, which is much better. And, indeed, this is a self-evident conclusion; for, it would be mere nonsense to pretend, that they have a right to be informed of all the secrets of a negociation, without having a right to break it off. If they have not a right to prevent a treaty's going into effect, where would lie the advantage of having it communicated to them previous to its ratification? What satisfaction could they derive from being tanta-

lized with a view of dangers, that they could not avoid.

Franklin has been pleased to say something about concessions, made by the people ; but, according to his subsequent account of the matter, I cannot perceive that they have made any at all. For where is the use of their having said to the President and Senate, “ you shall “ have the *sole* power of making treaties,” if they are to make them themselves ? If, notwithstanding their having conceded the power of making treaties to the President and Senate, they still retain that power, the same will hold good with respect to every other power they have conceded by the Constitution ; and then, what concession have they made ? None at all ; with their capacity to govern, they still retain all their governing powers, and every nation that would treat with the United States, ought to address itself to His multifarious and many-headed Majesty, *The People*.

5. *Franklin* would advise the impeachment of the President, for having evaded a new treaty with France, while he courted one with Great Britain.

This is the great offence ; to bring this home to the President seems to have been the chief object of *Franklin*, who is affected by nothing that does not concern the French Republic.

Before I proceed any further, it is necessary to give you a brief history of the “ *Letters of Franklin*.” Whoever reads these letters with the smallest attention, must perceive, that

they are, originally, a French production. Every one of them ends with an address to the passions of the sovereign people. These declamatory parts betray their origin in a more striking manner than the rest of the performance. Here we see every where a close and servile imitation of the illiterate new fangled jargon of the French Convention, a heterogeneous mixture of insolence, servility, vaunting, and lamentation. The author, or rather translator, is easily guessed at, if you pay attention to his affectionate expressions towards *Citizen Genet*. He calls *Mr. Jay the libeller of Citizen Genet*;" and great part of his malice against that Gentlemen seems to have no other foundation. In short, I am fully persuaded, that this *Franklin* is the same personage who rendered himself so extremely odious in the diplomatic dispute between *Citizen Genet* and your government.

The quarter, too, from whence these *Letters* issued, seems to correspond with the rest of their history. They were first published, in a paper famous for its anti-federal principles. The printer who is also a *Colonel*, went to France in 1792, to combat, in the cause of liberty and humanity, against the satellites of the combined despots; and he returned to Philadelphia in 1793, about the time that *Citizen Genet* arrived there. What rank this Colonel and Printer bore in the armies of your Sister Republic, or whether he be *still in her service*, I know not; but it ought not to be wondered at, if his zeal in her

cause, in "the cause of the human race," should have prompted him to serve her in Philadelphia as well as in Flanders; the Colonel might do as much execution with his printer's balls as with his cannon balls; perhaps more; and (which is a circumstance by no means to be overlooked) the former are employed with less danger than the latter.

Now, with this key, you will be able to enter into the spirit of many expressions and passages of *Franklin*, which, without it, must appear totally incomprehensible.

"We have," says *Franklin*, "treated the
 "overtures of France for a treaty, with neg-
 "lect. The nation that has barbarously in-
 "sulted us, and plundered us, we have court-
 "ed, *meanly courted*, and the nation *on whom*
 "our political existence depends, and who has
 "treated us with affection, we have treated
 "with indifference bordering on contempt.
 "Citizen Genet was empowered to propose
 "a treaty with us on liberal principles,
 "such as might strengthen the bonds of good
 "will which *unite* the two nations." How
 your government has *courted* Great Britain,
 how your political existence depends on
 France, and how she has treated you with
 affection, we have already seen; it only re-
 mains for us to see what were the "liberal
 "principles," which Citizen Genet was autho-
 rized to treat upon, and whether it was pru-
 dent on your part, to refuse to treat upon those
 "liberal principles," or not.

But, previously, it is necessary to observe, that, let these "liberal principles" be what they might, the President's conduct in refusing or evading to treat on them could amount to no more than *imprudence*. The President, I agree, has power to open negotiations with any nation he thinks proper, and then, says *Franklin*, "why did he not treat with *Citizen Genet*?" To which I answer, that the Constitution, in authorizing the President to open negotiations with any nation whom *he thinks proper* to treat with, has not obliged him to open negotiations with every nation that thinks proper to treat with him. It has not obliged him to open negotiations with a nation so circumstanced as not to be depended on for the value of a cargo of flour, with a nation in jeopardy, with an assembly who had declared themselves a committee of insurrection against every government on earth not founded on their principles, with an Executive Council composed of half a dozen unhappy wretches, who were all either publicly executed or outlawed, before the treaty with them could have been ratified; no; the Constitution has obliged him to nothing of this sort, if it had I am sure, he never would have accepted the post of President. The Constitution has left it intirely to his own prudence to make or to avoid treaties; whether he has on the present occasion, made a good use of the trust reposed in him, or not, we shall now see.

As a preliminary, I must observe, that the President's *Proclamation of Neutrality* was re-

ceived by you all, with a very few exceptions, with the most unequivocal marks of approbation. If, then, the treaty proposed by *Citizen Genet* went directly to render that Proclamation nugatory, or to make it a masque to cover the hostilities of such Americans as chose to make war upon the enemies of France, you will be obliged to approve of the President's conduct in avoiding to treat with *Citizen Genet*, or expose yourselves to a charge of the most palpable inconsistency.

Soon after the *Citizen's* arrival at Philadelphia, he announced to the President, through the Secretary of State, that he was authorized to open a negotiation with the government of the United States. I have not room to give you his letter at length here. It was one of those *fanfaronnades* for which the French Republicans are so famous, and for which any man, supposed to be in his senses, would deserve a good kicking.—I will give it a place ; it is a diplomatic curiosity that merits to be preserved.

“ SIR,

“ Single against innumerable hordes of tyrants and slaves, who menace her rising liberty, the French nation would have a right to reclaim the obligations imposed on the United States, by the treaties she has contracted with them, and which she has cemented with her blood ; but strong in the greatness of her means, and of the power of her principles, not less redoubtable to her enemies, than the victorious arm which she opposes to their rage, she comes, in the very

“ time, when the emissaries of our common
 “ enemies are making *useless efforts* to *neutra-*
 “ *lize* the gratitude, to damp the zeal, to wea-
 “ ken or cloud the view of your fellow citizens;
 “ she comes, I say, that *generous nation*, that
 “ *faithful friend*, to labour still to *encrease the*
 “ *prosperity* and *add to the happiness* which she is
 “ pleased to see them enjoy.”

“ The obstacles raised, with intentions hostile
 “ to liberty, by the perfidious ministers of
 “ despotism; the obstacles whose object was to
 “ stop the rapid progress of the commerce of
 “ the Americans, and the extension of their
 “ principles, exist no more. The French
 “ Republic, seeing in them brothers, has
 “ opened to them, by the decrees now enclosed,
 “ all her ports in the two worlds; has granted
 “ them all the favours her own citizens enjoy
 “ in her vast *possessions*; has invited them to
 “ participate the benefits of her navigation, in
 “ granting to their vessels the same rights as to
 “ her own; and has charged me to propose to
 “ your government, to establish in a *true fami-*
 “ *ly compact*, that is in a *national compact*, the
 “ liberal and fraternal basis, on which she
 “ wishes to see raised the commercial and poli-
 “ tical system of two people, *all whose interests*
 “ *are confounded*.”

“ I am invested, Sir, with the power necessary
 “ to undertake this important negociation of
 “ which *the sad annals of humanity offer no ex-*
 “ *ample*, before the brilliant æra at length open-
 “ ing on it.”

This letter admits of half a dozen interpretations. One would imagine by its outset, that the French Convention was graciously pleased to suffer you to remain in peace, "notwithstanding she had a right to reclaim the obligations imposed on the United States, and which she had cemented with *her blood*;" but, what follows seems to overturn this supposition; for the Citizen declares that "the emissaries of your *common enemies* were making *useless efforts* to *neutralize* the gratitude, and to damp the zeal of your fellow citizens &c." Citizen Genet arrived soon after the proclamation of neutrality was issued, and he took the earliest opportunity of declaring, that *useless efforts* had been made to *neutralize* the gratitude of the citizens of America; and yet *Franklin* and all the other stipendiaries of France assert, that "France with a magnanimity which she alone seems susceptible of, has not urged the fulfillment of her treaty with you; but that, she has expressed her wish, and her conduct has proved it, that you should remain in peace."

We will allow that *Citizen Genet's* letter might mean, that France wished you to remain in peace (for it may be made to mean any thing) yet that letter is not the document to which you are to look, to know the gracious intentions of your Sister Republic. At the same time that the Citizen came forward with his republican *fanfaronnade* to propose negotiations; he carried in his pocket certain *instructions* according to which the proposed treaty was to be formed, and from which he could not depart. By the ex-

tracts that I am going to make from those instructions, it will appear to every one of you, who is not so prepossessed in favour of the French as to be incapable of conviction, that the new treaty was to accord you no advantages, of which your participation in the war was not to be the price, and that *Citizen Genet* was to plunge you into a war, with or without the consent of your government, to make a diversion in favour of France, at the expence of your prosperity, and even your very existence as a nation.

Citizen Genet, though abundantly assuming and insolent, though uniting the levity of a Frenchman to the boorishness of a Calmuck, though deserving of much censure from your government, has, however, been loaded with a great deal of unmerited odium by the people of the United States. The man acted in full conformity to his instructions in all his attacks on your independence, and, therefore, his conduct is to be attributed to the Government of France, or the sovereign people of that *happy* Republic, and not to the poor citizen himself. He was a mere machine in the business, and his not being ordered home to answer for his conduct, is a strong presumptive proof, that the sovereigns of France approved of it, without daring to avow it openly. I say without *daring* to avow it; because, though you could not have directly chastised them, yet they wanted your flour, and it is well known, that empty cupboards are no less formidable than great guns.

Now for the citizens instructions.

“ Struck with the grandeur and importance
 “ of this negociation, the Executive Council
 “ prescribe to *Citizen Genet*, to exert himself
 “ to strengthen the Americans in the principles
 “ which led them to unite themselves to
 “ France :—The Executive Council are dispo-
 “ sed to set on foot a negociation upon those
 “ foundations, and they do not know but
 “ that such a treaty admits a latitude still more
 “ extensive in becoming a national agreement,
 “ in which two great people shall *suspend their*
 “ *commercial and political interests* to befriend
 “ the empire of liberty, *wherever it can be em-*
 “ *braced*, and *punish* those powers who still
 “ keep up an exclusive colonial and commer-
 “ cial system, by declaring that their vessels
 “ shall not be received in the ports of the con-
 “ tracting parties. * Such a pact which the
 “ people of France will support with all the
 “ energy which distinguishes them, will quick-
 “ ly contribute to *the general emancipation of the*
 “ *New World*. It is to convince the Ameri-
 “ cans of the *practicability* of this that *Citizen*
 “ *Genet* must direct all his attention : for, be-
 “ sides the advantages which *humanity* (*humani-*
 “ *ty ! !*) will draw from the success of such a
 “ negociation, *we* have at this moment a par-
 “ ticular interest in taking steps to *act efficaci-*
 “ *ously* against England and Spain, if, as
 “ every thing announces, these powers attack

* Here we see the ground work of the resolutions of
 Citizens *Madison* and *Clarke*.

“ *us.*—And in this situation of affairs we
 “ ought to excite *by all possible means*, the zeal
 “ of the Americans.*—The Executive Coun-
 “ cil has room to believe that the consideration
 “ of their own independence depending on our
 “ success, added to the *great commercial advan-*
 “ *tages* which we are disposed to concede to the
 “ United States, will determine their govern-
 “ ment to adhere to all that *Citizen Genet* shall
 “ propose to them on our part. As it is possi-
 “ ble, however, that they may adopt a timid
 “ and wavering conduct, the executive Coun-
 “ cil charges him, in expectation that the Ame-
 “ rican government will finally determine
 “ *to make a common cause with us*, to take such
 “ steps as will appear to him exigences may re-
 “ quire, to serve the cause of liberty, and *the*
 “ *freedom of the people.* †—*Citizen Genet* is
 “ to prevent all equipments in the American
 “ ports, *unless upon account of the French Nation.*
 “ He will take care to explain himself upon
 “ this object with the *dignity and energy* of the
 “ representative of *a great ‡ people*, who in
 “ faithfully fulfilling their engagements know
 “ *how to make* (ah! *make!*) *to make* their
 “ rights respected.—The guarantee of the
 “ West India Islands *is to form an essential clause*
 “ *in the new treaty.* *Citizen Genet* will found
 “ early the disposition of the American Go-

* The *Citizen* was to excite the *Americans*, and to convince the *Americans*, and not the *American government*.

† What *people*? If the *American people* are not meant here, the passage has no meaning at all.

‡ This is *republican modesty*!

“vernment, and make this a condition, *sine qua non*, of their free commerce to the West-Indies, so essential to the United States.—
 “The minister of the marine department will transmit to him a certain number of blank letters of marque, which he will deliver to such French and *American* owners as shall apply for the same. The minister at war shall likewise deliver to *Citizen Genet*, officers commissions in blank for several grades (ranks) in the *army*” *

Now, was your taking part in the war, that your Sister is carrying on for the good of the human race, to be the price of a treaty with her, or was it not?—The President, then, not only acted consistently with his duty in avoiding it, but consistently also with your sentiments, already decidedly expressed by your approbation of his Proclamation of neutrality.

But, say the *Patriots*, we could forgive him for not treating with France, if he had not treated with Great Britain. He treated with her while he refused to treat with our French brethren.—But, for this accusation to have any weight with even the friends of France, it ought to be proved that the treaty negotiated with Great Britain, bears some resemblance, at least, to the one proposed by *Citizen Genet*. Can this be done? Has the President stipulated

* Under some of these commissions, certain citizens of the United States have made an irruption into the Spanish Settlements, which must end in an indemnity, to come out of the pockets of the people, or in a war with Spain.

with Great Britain to "suspend your commercial and political interests in order to befriend the empire of liberty, wherever it can be embraced?" Has he promised that you shall contribute to the general emancipation of the New World? Has Great Britain asked you to assist her in the war? Are you to make a common cause with her? Has she made your "guarantee of her Islands an essential clause in the treaty, and a *sine qua non* of your free commerce with them?"—Where, then, is the likeness between the two treaties? And if there be none, by what sort of *patriotic* reasoning do they prove that the President, because he had refused to treat with France, ought not to have treated with Great Britain? This, however, appears to be the heaviest charge against him. "So bold an attack," says your Demagogue *Franklin*, "upon the palladium of our rights, deserves a serious enquiry. However *meritorious* a motion for such an enquiry might be, if suggested in the Senate, yet, it could not be considered in place; for enquiries of this sort belong to the House of Representatives, as the Senate are the constitutional judges to try *impeachments*. If the grand inquest of the nation, the House of Representatives, will suffer so flagrant a breach of Constitution to pass unnoticed, we may conclude, that virtue and patriotism have abandoned our country." Hence you are to conclude, then, that *General Washington* must be *impeached*, or virtue and patriotism have abandoned your country,

It is not for an Englishman to determine whether this be true, or not; but, if it be true, you will excuse him for saying; *the Lord have mercy upon your country!*

The only fair way for you to judge of the President's conduct relative to the treaty negotiated with Great Britain, and the one proposed by France, is, to draw a comparison between your present situation, and the situation in which you would have now been, had he followed a different conduct. As the tree is known by its fruit, so are the measures of the statesman by their effects. Look round you, and observe well the spectacle that the United States present at this moment. Imagine its reverse, and you have an idea of what would have been your situation, had the President yielded to the proposals of *Citizen Genet*, or those of the war party in Congress. The produce of the country would have been at about one third of its present price, while every imported article would have risen in a like proportion. The farmer must have sold his wheat at four shillings a bushel in place of fourteen, and in place of giving four dollars a yard for cloth, he must have given ten or twelve. Houses and lands, instead of being risen to tripple their former value, as they now are, would have fallen to one third of that value, and must, at the same time, have been taxed to nearly half their rent. In short, you would have been in the same situation as you were in 1777, and without the same means of extricating yourselves from it. However, such a situation might,

perhaps, be a desirable one to you. *Habit* does great things. People who were revolution mad, might look back with regret to the epoch just mentioned, and might even view with envy the effects of the French Revolution. If so, it is by no means too late yet ; the President has only to refuse his ratification of the treaty with Great Britain, and adopt the measures proposed by the honest and *incorruptible* friends of the French Republic, and you may soon have your fill of what you desire. If you have wished to enjoy, once more, the charms of change, and taste the sweets of war and anarchy (for I look upon them as inseparable in this country,) then, the President may merit an impeachment at your hands ; but, if you have desired to live in peace and plenty, while the rest of the world has been ravaged and desolated, to accuse the President now, is to resemble the crew of ungrateful buccaniers, who, having safely arrived in port, cut the throat of their pilot.

S U P P L E M E N T.

THE proceedings of the *Patriots*, previous to the departure of *Mr. Jay*, and during his absence, throw a good deal of light on their present obstinate opposition to the treaty. At the time of *Mr. Jay's* appointment as Envoy, a recent dispute had convinced the public that he was no friend to the dragooning system, proposed by *Citizen Genet*, and adhered to by the war, or confiscating, party in Congress. The *Patriots* were morally certain, that a continuation of peace between Great Britain and this country would be the consequence of his mission, and, of course, that their golden dreams of plunder would end as dreams generally do end. Accordingly, no sooner was his appointment made known, than the whole Union began to ring with their vociferations.

The *Democratic Society* of Pennsylvania (never last in the pursuit of mischief) gave the signal of malcontentedness. They published their *resolves* * against the appointment, and were soon followed by all those self-created clubs,

* These *resolves* have been re-published since the return of *Mr. Jay*. This is saying to the people : look here ; what

which, in the *patriotic* cant of the day, they term their "Sister Societies." It is unnecessary to say what were the sentiments contained in these resolves; as is the source, so is the stream. One circumstance ought not, however, to pass unnoticed: joining France in the present war appeared to be the leading object of every one of the societies. Their sentiments, and even expressions, on this subject bear such a perfect resemblance, that it is almost impossible they should not have been prescribed by some agent of "that regenerated, rich, great, generous, humane, happy, valiant and victorious republic."

The following extract, from the resolves of the *democratic society*, met at *Wythe Court House*, in Virginia, will serve as a specimen. "Shall we Americans, who have kindled the spark of liberty, stand aloof and see it extinguished, when burning a bright flame in France, which hath caught it from us! If a despot prevails, we must have a despot like the rest of the nations.

we foretold is now come to pass! The democrats knew what Mr. Jay ought to do, it was not, therefore, very difficult for them to foretell what he would do, and to condemn it beforehand; nevertheless they now hold up their predictions as a proof of their sagacity. I must confess, they are a sort of wizzards, and I only lament that they had not lived in New England about 130 years ago.

This re-publication was signed by one *Israel Israel*; Rabin of the democratic tribe of Pennsylvania. Can this be the same *Israel Israel*, who was put in durance for having publicly declared his wish, that not one of those who marched against the Western Rebels would return alive? If he should be the same, I think, his wish on that occasion may serve as an excellent comment on the resolves.

“ If all tyrants unite against free people, should
 “ not all free people unite against tyrants ? Yes,
 “ let us unite with France, and stand or fall
 “ together.” This is the society, who, after
 a great deal of abusive language against the Pre-
 sident, propose to the people of the United
 States, “ so to amend the Constitution as to in-
 “ capacitate any man to serve as President for
 “ more than eight years successively.” It was
 well known that the President had served six
 years, at that time.

Nor were the *Patriots* idle during the absence
 of the Envoy. Every piece of news, that could
 be picked up concerning his conduct at the
 Court of St. James’s, was made the means of
 sarcasm, and conjured into prognostics of his
 making a dishonourable treaty. Even the for-
 malities of his introduction at Court could not
 escape the malicious observations of the *patriotic*
 crew. His kissing the Queen’s hand was term-
 ed “ prostrating at the feet of Majesty the sove-
 “ reignty of a great people,” and for which it
 was affirmed he deserved to have “ his lips blister-
 ed to the bone.” Had I been in *Mr Jay’s* place,
 perhaps I should have preferred the hand of one
 of the Queen’s daughters ; but his taste was, at
 any rate, as good as that of the *Patriot’s* ; for,
 who would not rather kiss the shrivelled hand
 of the Queen of England than the monstrous
 beef-stake lips of an African *Patriot*, * or the
 snuffy chops of a regenerated Baboon ?

From men in this disposition of mind, it was
 to be expected that any arrangement, tending
 to prevent a rupture with Great Britain, would

* The greatest part of the negroes are most excellent
Patriots, and firm friends of the modern French.

meet a clamorous opposition ; but few people, I believe, thought that the first attack would come from a member of the Senate. Nobody imagined, that any member of that venerable body would have so far lost sight of his country's interest, of its peace, as to divulge the terms of an unratified treaty, and even become instrumental in its promulgation, not only without the permission, but against the wish and intention of the President and the majority of the Senate. *Mr. Mason's* motives were but too evident. He might have said to himself (with the hypocritical *Mark Anthony*, after he had divulged to the plebians the Will of Cæsar); "Now let it work. Mischief thou art a foot, take thou what course thou wilt."

The effects of this legislative tattling were not long in discovering themselves. The treaty was published at Philadelphia on the 2d. of July, prefaced by a letter from *Mr. Mason*, authorizing the printer to make what use of it he thought proper. On the fourth of July the most scandalous scene was exhibited, in this capital of the Union, that ever disgraced a civilized country. To avoid a charge of misrepresentation here, I shall give an account of it in the *Patriots'* own words, as published in their gazette, the *Aurora*, of the 9th July.

"The day" (the 4th. of July,) "was closed by the exhibition of a transparent painting with the figure of *John Jay* upon it. The figure was in full statue, holding in his right hand a pair of scales, containing in one scale, *American liberty and Independence,*

“ kicking the beam ; in the other, *British*
 “ *Gold*, in extreme preponderance. In his
 “ left hand a Treaty of Amity, Commerce,
 “ and Navigation, which he extended to a
 “ group of Senators, who were grinning with
 “ pleasure and grasping at the Treaty. From
 “ the mouth of the figure issued these words,
 “ *come up to my price, and I will sell you my*
 “ *country*. The figure was burned at Kensington
 “ amid the acclamations of hundreds of
 “ *citizens*. Thus ended the procession, and
 “ thus terminated the anniversary of American
 “ Independence.”

This was a good setting out. Meanwhile the Treaty got spread about, and a systematical opposition to it was determined on. The first remonstrance was drawn up at Boston, and in such haste were the *citizens* of that town to get the start of those of other places, that the first copy of the treaty had not been arrived in town twenty four hours, before a town meeting was convened to condemn it. At this meeting a motion was made to read the treaty, at least, before they remonstrated against it ; but this motion was not even seconded.

The *citizens* of New York were not much behind their *brethren* of Boston in point of time, and in other respects very far outstripped them. A town meeting being called to take the treaty into consideration, a great number of persons, of all descriptions attended. A chairman being named, a proposition was made for adjourning to some more convenient place for a fair and full discussion of the treaty, but this

was opposed with much clamour by many of the *citizens*. There appeared, however, to be a majority in favour of a fair discussion, but those who were against it were the most noisy ; interruption, disorder and confusion ensued. “ In the course of the affair three stones were “ thrown at Mr. *Hamilton*, who was for a fair “ discussion, the second of which glanced his “ forehead, one of the others struck a gentle- “ man standing by him. From the beginning “ standards were displayed bearing the colours “ of the United States and France. A party “ of those who had opposed a fair discussion “ went off to the battery, bearing a standard “ with French and American colours, where “ they burnt the treaty, and then returned “ with an accession of numbers.” Now, will any one in his senses believe, that this rabble, or, at least their ringleaders, were not hired to oppose the government on this occasion ? What did the French flag do at this meeting ? What had the French Sailors at New York, to do with a treaty between this country and Great Britain ? * Humiliating scene !

There was certainly a very great majority of the merchants, traders, and people of property, of New York in favour of the treaty and yet brick-back eloquence has prevailed, and a remonstrance has been sent off to the President.

* On the third of July the following card appeared in the Gazette, called the *Argus*, of New York.

“ The good Frenchmen, who are at New York, “ having taken cognizance of the treaty passed with the “ English, beg the Americans of this city to take away the “ tricolored flag from the Coffee House, finding it, in “ this circumstance, displaced.

Philadelphia was the next scene of action. A vast concourse of *Citizens* of the right true blue stamp assembled nearly in the same manner, and for the same purpose, as the *citizens* of New York. It would be useless to describe the stupid stare, the dirty shirts, and long beards, of these sovereigns, or the *patriotic* strut and imaginary consequence of their chairman and committee men. I shall notice only a circumstance or two, which, though trifling in themselves, characterize the meeting better, perhaps, than the most minute account of their proceedings and principles could do.

The important business being ended, a *citizen* made a motion, that the welcome of the meeting should be given to a firm friend of the *Rights of man*, just arrived from Ireland (last from France), *Citizen Archibald Hamilton Rowan*. The name of *Rowan* was hardly out of his mouth, when the whole assembly burst out into an acclamation, such as is heard from the summit of mount Rhodope, when the drunken God retires to his pleasures; or (to make use of an apter comparison) such as resounds through the infernal regions, when Satan announces the arrival of one doubly damned. Silence being at last restored, the same *citizen*, holding up a little pamphlet containing one of *Mr. Mason's* treaties, exclaimed, "what a damned treaty!" After a short pause, he continued; "I make a motion, that every good citizen in this assembly kick this damned treaty to Hell." He must have supposed that his good fellow *citizens* knew the way

to Hell ; and to tell the truth, some of them had much more the appearance of furies than of sober honest men.

The business of the meeting being closed by this *patriotic* exhortation, some of the lukewarm *citizens* retired home, while others of a more determined character paid the House of *Mr. Bingham* a visit. It was thought by some, that violence was their intention ; but they were so moderate as to be contented with insult and execration. *Mr. Bingham* has, without dispute, the finest house in the city, and he is said to be, besides, one of the wealthiest as well as worthiest men in the country ; it must, therefore, be confessed, that he was, on every account, a proper object of attack.

Such are the opposers of the treaty, such the *sovereign people*, who are now tormenting the President with their remonstrances, which some of them have the insolence to call, “ instructive ” to their *public servant*,” and who will ere long, unless their power be contracted, tyrannize over the peaceable inhabitants of these States. When once the lower orders of the people, those who have nothing, begin to give law to those who have something, a state of anarchy is at no great distance. This dreadful scourge now menaces the United States, and the only way of avoiding it is for every honest man, every man of property, to give his hearty and sincere support to the General Government.

P O S T S C R I P T.

I have this moment cast my eyes on an extract of a letter from Mr. *Pinckney*, the American Ambassador in London, which I think well worthy of a place here ; because *Franklin* after some compliments to the patriotism of that gentleman insists that, if the negotiation had been left to him, you would have had a treaty " such as would have been worthy an " independent nation." What will this demagogue now say

Extract of a letter from Thomas Pinckney, Minister Plenipotentiary, to the Secretary of State, dated London, 16th November, 1793.

" Mr. Jay communicated freely with me on this subject
 " during the course of the negotiation, and I have witnessed the great difficulties which have occurred in adjusting several of the articles. Although some points might have been arranged more beneficially for us if the treaty had been dictated entirely by the United States, yet when it is considered as a composition of differences, where mutual complaints had rendered mutual concessions necessary to establish a good understanding, I think it may fairly be said, that as little has been conceded by Mr. Jay, and as much obtained for the United States, as, all circumstances considered, could be expected: the business upon the whole, has been concluded more beneficially for us than I had any hope we could obtain by negotiation six months ago, and, in my opinion ; places us in a more advantageous situation than we should have been by becoming parties to the war."

F I N I S.

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The following is a list of the names of the persons who have been admitted to the office of the Secretary of the British Museum since the 1st of January 1875. The names are arranged in alphabetical order.



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